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OF THE
House of Representatives

OF THE
STATE OF ALABAMA,
SESSION OF 1907.

HELD IN THE CITY OF MONTGOMERY,
COMMENCING

TUESDAY, JANUARY 8, 1907.

VOL. II.

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VOL. II.

THIRTY-THIRD DAY.

House of Representatives,

Thursday, February 28th, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Price of the House.

ROLL CALL.

On a call of the roll of the House the following members answered to their names:

Messrs:—

Alford	Baltzell	Carmichael (Colbert)
Armstrong	Barton	Coleman (Lowndes)
Arnold	Benners	Coleman (Marshall)
Arrington	Bulger	Cooper
Ballard (Autauga)	Cannon	Cranford
Ballard (Pike)	Carmichael (Clay)	Crum

Doyle (Clark)	Long (Butler)	Ragsdale
Dudley	Long (Morgan)	Rainer
Edwards	Lovelady	Rattray
Elrod	Lyons	Rice
Fuller	Malone	Rowe
Glover	Maner	Rushton
Goodwyn	Middleton	Sample
Gunter	Mitchell	Sanders
Haley	Moore	Sanford
Henley	McCrary	Seale
Hoffman	McDuffie	Smith (Elmore)
Hughston	McMillan	Smith (Lee)
Jenkins	Norville	Smith (Etowah)
John	Oliver	Smith (Franklin)
Johnson	Parker	Steagall
Killen	Pearson	Thompson
King	Peete	Tunstall
Kirby	Pitts (Perry)	Turner
Kornegay	Pitts (Dallas)	Urquhart
Lacy (Dallas)	Powell (Bullock)	Vann
Lacy (Walker)	Powell (Covington)	Weaver
Lancaster	Power	White (Lamar)
Lawson	Pratt	White (Perry)
Lee (Etowah)	Price	Williams
Lee (Houston)	Pugh	Woolf
Lindsey		

—95

A quorum was present.

JOURNAL.

The chairman of the standing committee on revision of the Journal, made the following report:

Mr. Speaker:

Your committee on the revision of the Journal beg leave to report as follows:

We have examined the Journal for the thirty-second day and find the same to be correct.

H. B. Steagall, Chairman.

The report of the committee was concurred in, and the Journal of the thirty-second day was adopted.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Bloch for today and to Mr. Foster indefinitely.

PRIVILEGES OF THE FLOOR.

On motion of Mr. Bulger the privileges of the floor were extended to Hon. G. B. Ward of Birmingham, for today.

On motion of Mr. Cranford the privileges of the floor were extended to Hon. R. A. O'Rear, of Jasper, for today.

On motion of Mr. Williams the privileges of the floor were extended to Judge A. A. Evans, for today.

On motion of Mr. Steagall the privileges of the floor were extended to Hon. Joseph H. Adams, of Ozark, for today.

On motion of Mr. Ballard of Autauga, the privileges of the floor were extended to Hon. M. A. Graham, of Autauga, for today.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following resolutions with a favorable report.

H. R. 173. Resolved that Senate bill No. 12, "To define, prohibit and punish aiding and abetting or concealing or procuring an unlawful sale purchase, gift or other unlawful disposition of spirituous, vinous or malt liquors, or other liquors prohibited by law from being sold, given or otherwise disposed of," be set specially for Saturday March 2, 1907, immediately after report of standing committees.

And the resolution was adopted.

H. R. 174. Be it resolved that the Senate is hereby requested to return to the House, bill No. 189, which was yesterday sent to the Senate without engrossment, and further that this request be immediately communicated to the Senate. Be it further resolved, that the resolu-

tion by which said bill was sent to the Senate without engrossment be reconsidered.

And the resolution was adopted.

By Mr. John:

H. J. R. 184. Resolved by the Legislature of Alabama, That a joint convention of the two houses be held in the Hall of the House on Thursday, February, 28th, 1907, at four forty-five p. m. for the election of two judges of the city court of Birmingham. At this election every legislator shall vote for two judges at the same time and the two candidates receiving the highest vote, if a majority of all the votes cast, shall be declared elected.

If one judge only, is elected on any ballot, thereafter every legislator shall vote for one candidate till an election is made.

And the resolution was adopted.

By Mr. Carmichael, of Colbert:

H. R. 183. Resolved that for today the morning session continue until five thirty p. m. and that the House recess from 1:30 o'clock till 3:00 p. m.

And the resolution was adopted.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bills:

H. 741. To make subject to taxation and to tax the franchises, or intangible property and assets of every person, association, company and corporation engaged as a common carrier in this State in the business of transporting persons or property over any railroad, including street railroads, or in the business of operating any cars over any railroad for the transportation of freight or passengers, including sleeping cars, parlor or palace cars, dining cars, chair cars, tank cars, and any of any other kind; or engaged in operating for gain any

telegraph or telephone line or plant or business; or in operating any plant or business for the production, manufacture, distribution or sale of gas, water, electricity, electric power, electric light, steam heat, oil, refrigerated air, or other like substances, by means of pipes, wires or conduits passing on, over, under or through any territory, street, alley or highway in this State; or in the business of operating for gain, dockage, wharfage, canal, freight or passenger depots, stations or terminals, or engaged in any other business which may be dependent upon the grant of public powers or privileges, or which may involve the operation of any public utility; and to provide for the valuation and manner of ascertaining the values of such franchises, or tangible properties, and the distribution of the same for local taxation, and the levy, assessment and collection of said taxes thereon.

H. 478. To prohibit the sale, giving away, or otherwise disposing of alcoholic, spirituous, vinous or malt liquors, intoxicating bitters, wines, or fruits preserved in such intoxicants within precinct number 17, known as Warrior precinct in the county of Jefferson, State of Alabama, and to repeal the present local law for the town of Warrior under which saloons are now operated.

H. B. 149. For the relief of A. A. Heard an ex-confederate soldier, being a resident of Marion county, Alabama.

H. 581. To fix the salary of the judge of the police court of the city of Birmingham, Alabama.

H. 606. To repeal section 2038 of the code of Alabama and all acts amendatory thereof in so far as it applies to St. Clair county.

H. 678. To ratify and make legal the warrants issued to the probate judge and sheriff of Walker county, Alabama, for services rendered in holding the county court of said county from March 6th, 1903, to June 9th, 1905.

H. 679. To ratify and make legal claims against the fine and forfeiture fund of Walker county all claims issued from March 6th, 1903, to June 9th, 1905, to the sheriff and circuit clerk of said county against said fund for services performed in and for the court acting

as the county court of Walker county, and for the circuit court while said court was held or attempted to be held under what was known as the 14th judicial circuit act approved March 6th, 1903.

H. 699. To repeal an act entitled an act to provide for the running at large of domestic live stock in the precincts of Hazel Green and all that section of Hurricane lying north of the line that formerly divided the precinct of Hurricane from the precinct of Maysville, Madison county.

H. 756. To amend section one of an act entitled "an act to incorporate the town of Sulligent in the county of Lamar, State of Alabama," approved February 12th, 1897.

H. 757. To legalize and authorize the payment of certain warrants inadvertently and improperly issued by the commissioner's court of Monroe county, against the fine and forfeiture fund of said county.

H. 566. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or other intoxicating drinks within five miles of Foley and within two and one-half miles of the Episcopal church at Magnolia Springs, Alabama.

H. 497. For the relief of D. I. Guthrie, ex-tax collector for Lamar county, Alabama.

H. 654. To relieve Cyrus Jones, Jr., as the only legal heir of Cyrus Jones, Sr., deceased, by refunding to him, money, amounting to 250.20, belonging to the estate of the said Cyrus Jones, Sr., deceased, which escheated to the State of Alabama for lack of claimant, as shown by the minute entries of the probate court of Madison county, Alabama, Vol. 30, page 42; and further evidenced by treasurer's receipt No. 510 A. D., 1905.

H. 787. To fix the time of holding the circuit courts in the counties of Perry and Bibb.

H. 793. To fix the salary of the chancellor of the northwestern chancery division of Alabama at the sum of forty-five hundred (\$4,500.00) dollars per annum, and to provide for the payment of as much thereof out of the State treasury as shall be paid to other chancel-

lors, and for the payment of the remainder thereof out of the treasury of Jefferson county.

H. 761. To extend the police power and jurisdiction of the city of Sylacauga over and about the property and premises of the Central Mills a corporation under the laws of Alabama in the vicinity of said city, in the county of Talladega and to empower the corporate authorities to exercise police jurisdiction over the said Central Mills property, and within the limits of one hundred and fifty feet from the boundary lines thereof.

H. 607. To prevent the sale of intoxicating liquors within certain limits of the city of Talladega and to punish violations of the same.

H. 630. To amend an act to incorporate the town of Jackson, Clarke county, Alabama, approved February 15th, 1897.

H. 825. To amend an act entitled an act to amend an act to regulate the trial of misdemeanors in Bibb county, approved December 14, 1894.

Ernest Lacy, Chairman.

And the report of the committee was concurred in.

SPECIAL ORDER.

The House proceeded to the consideration of the special order, which was the unfinished business, being the bill:

H. 769. To better provide for the revenue of the State and the more efficient assessment and collection of taxes, and for this purpose to create a commission to be known as the State tax commission, of Alabama; and to prescribe the powers and duties of said commission, and its mode of procedure, and to abolish the office of State tax commissioner.

On motion of Mr. John, the bill was ordered considered section by section.

Mr. Sample offered the following amendment to the substitute:

Amend section 1 by adding at the end of the section "State board of assessment."

On motion of Mr. John, the amendment offered by Mr. Sample was laid upon the table.

Mr. Tunstall offered the following amendment to the substitute:

Amend by striking out all of Sec. 2 after the words "consisting of" and inserting the following "the auditor, treasurer and tax commissioner."

On motion of Mr. Long, of Butler, the amendment offered by Mr. Tunstall was laid upon the table.

Mr. Coleman, of Marshall, offered the following amendment to the substitute:

Amend by striking out all of section 2, beginning with the word "upon" in line thirteen and ending with the word "qualified" in line seventeen, and insert "that at the general election in 1910, and every four years thereafter a chairman and two associate members shall be elected by the qualified electors of the State, in the same manner as other State officers are elected. Said chairman and associate members of said tax commission shall hold office for four years and until their successors are elected and qualified. No member of said commission shall be elected to the succeeding term."

On motion of Mr. John, the amendment offered by Mr. Coleman, of Marshall, was laid upon the table.

Yeas, 48; nays, 34.

Yeas:

Messrs:—

Ballard (Autauga)	Goodwyn	Middieton
Ballard (Pike)	Henley	Mitchell
Barton	Hughston	McDuffie
Benners	Jenkins	Norville
Bulger	John	Pitts (Perry)
Carmichael (Clay)	Killen	Powell (Bullock)
Carmichael (Colbert)	King	Power
Coleman (Lowndes)	Kirby	Price
Cooper	Lancaster	Pugh
Crum	Long (Butler)	Rainer
Doyle (Clark)	Long (Morgan)	Rice
Edwards	Lyons	Rowe
Glover	Maner	Rushton

Sanford	Steagall	Weaver
Smith (Elmore)	Turner	White (Perry)
Smith (Lee)	Urquhart	Woolf

—48.

Nays:

Messrs:—

Arnold	Lee (Houston)	Rattray
Arrington	Lindsey	Sample
Baltzell	Malone	Sanders
Coleman (Marshall)	Moore	Seale
Elrod	McCrory	Sherrod
Fuller	McMillan	Smith (Etowah)
Hoffman	Oliver	Smith (Franklin)
Johnson	Parker	Tunstall
Kornegay	Pearson	Vann
Lacy (Dallas)	Pratt	White (Lamar)
Lawson	Ragsdale	Woolf
Lee (Etowah)		

—34.

Mr. Lee, of Houston, offered the following amendment to the substitute:

Amend section 6 by adding at the end thereof the following: "Provided, however, that at the time said commission fixes the date for meeting or sitting in any county for the purpose of investigating and making, revising, reassessing or assessing property, they shall notify the board of county commissioners or boards of revenue of the date upon which such meeting or sitting will be held, and said board shall sit with said commission and advise and confer as to all conditions affecting assessments of property for taxation, and that there shall not be any raises in the taxable valuation of the properties of any county in this State except upon the concurrence of both boards, and each board shall be empowered and vested with the same voting strength."

On motion of Mr. Rice, the amendment offered by Mr. Lee, of Houston, was laid upon the table.

Yeas, 48; nays, 38.

Yeas:**Messrs:—**

Benners	Kirby	Price
Bulger	Lancaster	Rainer
Carmichael (Colbert)	Lee (Etowah)	Rattray
Coleman (Lowndes)	Long (Butler)	Rice
Cooper	Long (Morgan)	Rowe
Cranford	Lyons	Rushton
Crum	Maner	Sanford
Glover	Mitchell	Seale
Goodwyn	Moore	Smith (Elmore)
Gunter	McMillan	Smith (Lee)
Haley	Norville	Smith (Franklin)
Hughston	Peete	Steagall
Jenkins	Pitts (Dallas)	Turner
John	Pitts (Perry)	Weaver
Killen	Powell (Bullock)	White (Perry)
King	Power	Woelf

—48.

Nays:**Messrs:—**

Armstrong	Hoffman	Parker
Arnold	Johnson	Pearson
Arrington	Kornegay	Pratt
Avery	Lacy (Dallas)	Pugh
Ballard (Autauga)	Lawson	Ragsdale
Ballard (Pike)	Lee (Houston)	Sample
Baltzell	Lindsey	Sanders
Cannon	Malone	Sherrod
Carmichael (Clay)	Middleton	Tunstall
Doyle (Clark)	McCrory	Vann
Edwards	McDuffie	White (Lamar)
Elrod	Oliver	Williams
Fuller		

—38.

Mr. Hoffman offered the following amendment to the substitute:

Amend section 6 by adding:

Provided, The tax commission shall notify the boards of revenue or county commissioners of the date when they will sit or meet in the county, and such boards of revenue or county commissioners shall and must sit with

and advise the tax commission as to local conditions concerning the taxable values in the county, provided this shall not apply to corporations which have assessable property located in more than one county in the State, but the county boards or commissioners shall have no vote in the determination of values.

And the amendment was adopted.

Mr. Lee, of Houston, offered the following amendment to the substitute:

Amendment to Sec. 7 of substitute to H. 769:

Amend section 7 of substitute to H. 769 by striking out that part beginning after the word "paid" in line 3 and ending with the word "governor," also strike out that part of said section after the word "any" in line 11 of said section 7.

On motion of Mr. John, the amendment offered by Mr. Lee, of Houston, was laid upon the table.

Mr. Tunstall offered the following amendment to the substitute:

Amend section nine (9) of the substitute to House bill 769, by adding to the end of sub-division one (1) of said section nine, the following:

The intent of this act is that all property in this State shall as nearly as possible, be assessed on the same basis, and in the same proportion to its real value, and in all hearings before the tax commission and in all appeals to the circuit courts, the tax payer may introduce evidence tending to show that the assessment sought against his property is proportionately greater than the average basis of assessment fixed by the tax commission or greater than the average basis of assessment throughout the State, or county.

On motion of Mr. John, the amendment offered by Mr. Tunstall was laid upon the table.

Yeas, 48; nays, 34.

Yeas:

Messrs:—

Armstrong	Bulger	Coleman (Lowndes)
Ballard (Autauga)	Cannon	Cooper
Ballard (Pike)	Carmichael (Clay)	Cranford
Barton	Carmichael (Colbert)	Crum

Dudley	Long (Butler)	Rattray
Edwards	Long (Morgan)	Rice
Glover	Maner	Rowe
Goodwyn	Middleton	Rushton
Haley	Mitchell	Sanford
Henley	Moore	Smith (Elmore)
Hughston	Peete	Smith (Lee)
John	Pitts (Perry)	Smith (Franklin)
Killen	Powell (Bullock)	Steagall
King	Power	Turner
Kirby	Price	Weaver
Lee (Etowah)	Rainer	White (Perry)

—48.

Nays:

Messrs:—

Arnold	Lawson	Powell (Bullock)
Arrington	Lindsey	Pratt
Baltzell	Lyons	Ragsdale
Benners	Malone	Sanders
Doyle (Clark)	McDuffie	Seale
Elrod	McMillan	Sherrod
Fuller	Norville	Tunstall
Gunter	Oliver	Vann
Hoffman	Parker	White (Lamar)
Jenkins	Pearson	Williams
Lacy (Walker)	Pitts (Dallas)	Woolf
Lancaster		

—34.

Mr. Tunstall offered the following amendment to the substitute:

Amend sub-division seven of section nine of substitute to House bill 769, by striking out the word "five" where the same occurs in said sub-division and inserting in lieu thereof "fifteen."

On motion of Mr. Steagall the amendment offered by Mr. Tunstall was laid upon the table.

Mr. Sample offered the following amendment to the substitute:

Substitute to H. 769: -

Amend by striking out in sub-div. 14 Sec. 9, in lines 112 and 113, the following words "or by any board of

revenue or court of county commissioners or by any other officers authorized to make assessments."

Amend by striking out in line 115 to 118 between and including the words "or of any county" in line 115, and ending with the words "record on appeal" in line 118.

And on motion of Mr. Rice the amendment offered by Mr. Sample was laid upon the table.

Mr. Fuller offered the following amendment to the substitute:

Amend subdivision 14 of section 9 of substitute, by adding after the last word of said subdivision the following: "Provided that after the taxes on any property has been paid for any year or years; the tax value on such property shall not thereafter be raised or assessed again for such year or years.

On motion of Mr. John, the amendment offered by Mr. Fuller was laid upon the table.

Mr. Sample offered the following amendment to the substitute:

Amendment to substitute to H. 769:

Amend by adding after the 2nd word in line 132, subdiv. 14 in Sec. 9 the words "before the commissioners court or court of like jurisdiction in the county in which the property subject to taxation is located," by striking out the word "commission" in line 133 and inserting in lieu thereof the word "court."

On motion of Mr. John, the amendment offered by Mr. Sample was laid upon the table.

And the substitute reported by the standing committee on Ways and Means as amended was adopted.

Yeas, 68; nays, 6.

Yeas:

Messrs:—

Alford	Carmichael (Colbert)	Goodwyn
Armstrong	Coleman (Lowndes)	Gunter
Ballard (Autauga)	Coleman (Marshall)	Haley
Barton	Cooper	Henley
Benners	Cranford	Hoffman
Bulger	Crum	Hughston
Cannon	Edwards	Jenkins
Carmichael (Clay)	Glover	John

Johnson	Moore	Rattray
Killen	McCrary	Rice
Kirby	McDuffie	Rowe
Kornegay	McMillan	Rushton
Lacy (Dallas)	Norville	Sanford
Lacy (Walker)	Oliver	Smith (Elmore)
Lancaster	Parker	Smith (Lee)
Lawson	Peete	Smith (Franklin)
Long (Butler)	Pitts (Dallas)	Turner
Long (Morgan)	Pitts (Perry)	Vann
Lyons	Powell (Bullock)	Weaver
Malone	Power	White (Lamar)
Maner	Pratt	White (Perry)
Middleton	Price	Woolf
Mitchell	Rainer	

—68.

Nays:

Messrs:—

Arnold	Lee (Houston)	Tunstall
Fuller	Pearson	Williams

—6.

And the bill:

H. 769. To better provide for the revenue of the State and the more efficient assessment and collection of taxes, and for this purpose to create a commission to be known as the State tax commission of Alabama; and to prescribe the powers and duties of said commission, and its mode of procedure, and to abolish the office of State tax commissioner.

As amended, by the substitute reported by the standing committee on Ways and Means, as amended.

Was read a third time at length, and passed.

Yeas, 61; nays, 23.

Yeas:

Messrs:—

Armstrong	Coleman (Lowndes)	Glover
Barton	Coleman (Marshall)	Goodwyn
Benners	Cooper	Gunter
Bulger	Cranford	Haley
Carmichael (Clay)	Crum *	Henley
Carmichael (Colbert)	Dudley	Hoffman

Hughston	Mitchell	Rushton
Jenkins	Moore	Sanford
John	McMillan	Seale
Killen	Norville	Smith (Elmore)
King	Peete	Smith (Lee)
Kirby	Pitts (Dallas)	Smith (Etowah)
Kornegay	Pitts (Perry)	Smith (Franklin)
Lancaster	Powell (Bullock)	Steagall
Lawson	Power	Turner
Lee (Etowah)	Price	Urquhart
Long (Butler)	Rainer	Vann
Long (Morgan)	Rattray	Weaver
Lyons	Rice	White (Perry)
Maner	Rowe	Woolf
Middleton		

—61.

Nays:

Messrs:—

Arnold	McCrary	Pugh
Ballard (Autauga)	McDuffie	Ragsdale
Ballard (Pike)	Oliver	Sample
Balzell	Parker	Sanders
Edwards	Pearson	Sherrod
Fuller	Powell (Covington)	Tunstall
Lee (Houston)	Pratt	Williams
Lindsey		

—23.

Mr. Steagall moved to reconsider the vote by which the bill was passed, and Mr. Maner moved to indefinitely postpone the motion to reconsider, and the motion to indefinitely postpone the motion to reconsider prevailed.

RESOLUTIONS.

The following resolutions were introduced:

By Mr. Ragsdale:

H. R. 185. Resolved, That S. B. 165 be made a special, paramount and continuous order for Friday, March 1, immediately after reports of standing committees.

And the resolution was referred to the committee on Rules.

By Mr. Sherrod:

Whereas, The secretary of State during the present term of the legislature provided codes and acts for each member of the House, through the doorkeeper of the House, and whereas, the said doorkeeper of the House, through resolution, duly adopted, provided an annotated copy of the constitution of Alabama, for each member of said House, and whereas, a number of said books appear to have been lost or misplaced, and whereas, the doorkeeper of House and the secretary of State are without relief for said missing books, now therefore, be it resolved, by the House, that the books that have been distributed to the members of the House at the present session be retained by them and the said doorkeeper and secretary of State, be and they are hereby relieved of all liability for said books.

And the resolution was referred to the committee on Rules.

BILLS ON "SECOND READING.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 312. To provide for the appointment of an official stenographer for the city court of Montgomery, to prescribe his duties and to fix his compensation.

S. 341. To amend sections five and fifteen of an act entitled 'an act to declare the powers and jurisdictions of the city court of Anniston, approved December 9th, 1896, and to amend section ten of an act approved March 4th, 1903, entitled, 'an act to amend sections nine, ten and sixteen of an act to declare the powers and jurisdictions of the city court of Anniston, approved December 9th, 1896,' and to amend section two of an act approved December 13, 1900, entitled 'an act to amend sections four and eleven of an act entitled 'an act to declare the powers and jurisdiction of the city court of Anniston,' approved December 9th, 1896.'"

S. 342. To regulate the practice in the circuit court of Calhoun county.

H. 831. To fix the salary of the judge of the 10th judicial circuit of the State of Alabama at the sum of forty-five hundred (\$4,500.00) dollars per annum, and to provide for the payment of as much thereof out of the State treasury as shall be paid to other circuit judges of the State of Alabama, and for the payment of the remainder thereof out of the treasury of Jefferson county.

H. 833. To prohibit the sale of liquors to, or by a woman, or on premises where women dwell, board, lodge or work.

H. 844. Granting to any person, firm or corporation developing water power by the construction of a dam or dams in any river, stream or lake in the State of Alabama, the exclusive use and ownership of the stored water for power purposes at any point on said river, stream or lake below said dam or dams.

H. 847. To fix the salary of the judge of the city court of Anniston, and to provide for the payment of the same.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

H. 852. (With amendment.) To establish police commissions in cities of 35,000 population, in counties of 100,000 or more population and to define their terms of office, duties and powers.

S. 69. (With amendment.) To amend sections 897 and 911, of chapter 19, article 1, of the Code of Alabama.

S. 291. (With amendment.) To regulate sales of stocks of merchandise in bulk or portions thereof, otherwise than in the ordinary course of trade, and to punish violations of the same.

Mr. Pitts, of Dallas, chairman of the standing committee on Revision of Laws, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 327. To amend Sec. 7 of an act, entitled an act to amend an act to regulate the trials of misdemeanors in Bibb county, approved December 14, 1894.

Mr. Lee, of Etowah, chairman of the standing committee on Education, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report.

S. 65. To provide a penalty for fraudulent enumeration of children by district trustees.

S. 91. Requiring teachers in the public schools of this State to give thirty days notice to the county board of education or to the district trustees upon resigning their position.

S. 220. To repeal section sixteen of an act to establish a uniform system for the examination and licensing of teachers of public schools, approved February 10, 1899, amended February 8, 1901.

S. 221. To amend section seventeen of an act to establish a uniform system for the examination and licensing of teachers of public schools, approved February 10, 1899; amended February 8, 1901..

S. 332. To authorize the county commissioners of Perry county, Alabama, to appropriate annually from the funds of said county the sum of two hundred and fifty dollars for the use of the county board of education of said county to be used by said board for the sole and only purpose of advancing the interests of the public schools of said county.

Mr. Long, of Butler, chairman of the standing committee on Commerce and Common Carriers, reported that said committee in session had acted on the following bills and orders same returned to the House with a favorable report:

H. 781. To prohibit the running of freight trains on the Sabbath day and to provide a penalty for its violation.

H. 782. To require and authorize the railroad commission to prescribe rules, regulations and requirements for the issuance and use of interchangeable excess bag-

gage, tickets and coupon tickets on and over lines of transportation of railroad common carriers of passengers in this State, and punish any violation of such orders, rules, regulations and requirements..

H. 842. To provide for the assessment and collection of privilege taxes against sleeping car companies.

H. 843. To provide for the assessment and collection of privilege taxes against express companies.

H. 851. Regulating or fixing weights under which flour, corn meal, and grits shall be packed in Alabama, to protect purchasers and dealers from fraudulent short weights, and to prohibit fraudulent packing and sale of flour, corn meal and grits. To provide for violations or inaccuracies in weights and fix a penalty for violation of this act.

S. 310. Conferring on railroads operating in the State of Alabama, the right to acquire lands for depots, freight yards, and team tracks by condemnation proceedings, in the mode prescribed by law, after application for permission to bring such condemnation proceedings has first been submitted to and approved by the railroad commission of Alabama.

Mr. Ballard, of Autauga, chairman of the standing committee on Temperance, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 840. To prevent the storing or keeping on deposit in social clubs, or lodge rooms or places of like character any spirituous, vinous or malt liquors, and to prescribe punishment for any violations of this act and to provide for the forfeiture of the charter of any corporation which permits the violation of the same, and providing that the same shall not apply to clubs in cities and towns where such liquors are sold under license in open bar-rooms.

S. 223. Making it a misdemeanor to sell, give away, or otherwise dispose of, in Mobile county, within three miles of section nine, township two, north, range one, east, spirituous, vinous or malt liquors or intoxicating bitters or beverages.

S. 241. To prevent the sale of intoxicating liquors within certain limits in the corporate limits of the city of Talladega and to punish violations of the same.

Mr. Haley, chairman of the standing committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 301. To dispose of all surplus moneys coming into the fine and forfeiture fund of Jefferson county, Alabama.

S. 303. To amend an act entitled an act to authorize the court of county commissioners of Jefferson county to purchase claims against the fine and forfeiture fund of said county.

S. 333. To provide for the fixing of the salary of the county superintendent of education of Perry county, Alabama, and for the defining of the duties and requirements of said superintendent.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

H. 803. (With amendment.) To appropriate money for repairs on the A. & M. College, Normal, Alabama, and for other purposes.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 827. For the relief of Mrs. Leanna J. Humble, a resident of DeKalb county, indigent widow of David Humble, who was a confederate soldier, and a citizen of DeKalb county, Alabama, at the time of his death, making her a confederate pensioner under the act of the General Assembly of Alabama, approved the 10th day of Feb., 1899, and entitled "An act for the relief of needy confederate soldiers, and sailors, resident citizens of Alabama, and their widows."

H. 856. To fix the compensation of the assistant clerk in the office of the commissioner of agriculture and industries and make appropriations therefor.

Mr. Sherrod, acting chairman of the standing committee on Penitentiary and Criminal Administration, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 346. To amend an act to amend an act to amend section 4457 of the Code of 1896, approved March 5, 1901.

Mr. Urquhart, acting chairman of the standing committee on Municipal Organization, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 334. To vacate and annul that part of Twenty-seventh street, in the city of Birmingham, Alabama, lying between First avenue, north, and Tenth avenue, north, in said city, as a public street or highway, and to annul and extinguish the dedication thereof.

S. 335. To vacate and annul the alleyways in blocks 204, 205 and 206; the east half of the alleyway in block 207, and the east half of the alleyway in block 203, in the city of Birmingham, Ala.; also all that part of Fourth avenue, north, lying between Twenty-sixth street, north, and Twenty-seventh street, north, in said city; also all that part of Sixth avenue, north, extending from the boundary line between lots 18 and 19, in block 207, in said city (if projected across said avenue) to the western boundary lines of Twenty-seventh street; also that part of Third avenue, in said city, extending from the boundary line between lots 15 and 16, in block 204, in said city (if projected across said avenue), to the western boundary line of Twenty-seventh street.

S. 213. To amend section 2942 of the Code of Alabama, 1896.

S. 328. To rearrange and extend the corporate limits of the town of Linden, Marengo county, Alabama.

Mr. Smith, of Elmore, chairman of the standing committee on Public Roads and Highways, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 850. To provide for the better construction, repairing, working and maintaining the public roads and bridges in Calhoun county.

Mr. Mitchell, chairman of the standing committee on Claims and Fees, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 261. To ratify and make legal all claims issued to State witnesses from March 6th, 1903, to June 9, 1905, by the clerk of the circuit court of Walker county, or by the judge of the county court of Walker county, or by the person acting as and claiming to be judge of the county court of said county, or by the clerk or person acting as clerk of said court, or issued by the foreman of any grand jury organized under what is known as the fourteenth judicial circuit act, approved March 6th, 1903.

Mr. Woolf, chairman of the standing committee on Ways and Means, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 845. To grant to any person, firm or corporation acquiring necessary lands on both sides of a navigable river, and organized for the purpose of developing water power and electrically transforming and distributing the same, for use of the public, to construct dams and locks in navigable rivers for the development of water power. To grant perpetual and exclusive easements for power purposes to and in the waters and beds of said rivers and to exempt the property of such person, firm or corporation used for the development and transmission of such power from taxation for a period of (10) ten years.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 817. To repeal an act entitled an act to provide a fund to be used exclusively for the support of a paid fire department in the city of Mobile, approved February 21st, 1899.

Mr. Haley, chairman of the standing committee on Local Legislation, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 190. To make the judge of the city court of Montgomery and the associate judge of the city court of Montgomery elective by the people.

The above and foregoing bills were severally read a second time, and placed on the calendar.

Mr. Ballard, of Autauga, chairman of the standing committee on Temperance, reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 640. To authorize the mayor and council of Vincent, in Shelby county, to maintain and operate a dispensary, and to buy and sell therein spirituous, vinous and malt liquors.

H. 755. To repeal an act, entitled an act "To prohibit the selling, bartering, exchanging or giving away of spirituous, vinous or malt liquors, intoxicating bitters or beverages, within four miles of Talbert Baptist church in beat sixteen (16) in all directions, in Henry county, approved February 28th, 1889, in so far as the same relates to, or in any manner effects the territory embraced in the incorporated limits of the town of Newville, in Henry county, Alabama."

H. 754. To repeal an act, entitled an act, to prohibit the selling, giving away, or otherwise disposing of any spirituous, vinous or malt liquors, intoxicating beverages

or bitters, or fruits preserved in alcoholic liquors within a half mile, by the most commonly travelled route, of the City Mission Methodist church, and the Corinthian Baptist church, in Mobile county, or within that portion of Baldwin county, lying north of Louisville and Nashville railroad; or within eight miles of Oak Grove Church in Pickens county; or within six miles of the branch Agricultural station and school at Abbeville, in Henry county or within seven miles of Emory Chapel church in Pickens county, or within two miles of Liberty church in Henry county; or within three miles of Antioch church, near Elizabeth Post Office in Coffee county; or within two miles of Shiloh Pleasant Hill and Friendship Missionary Baptist churches, in Geneva county; or within two miles of Wesley Chapel, Pond Town, Hurricane Creek, and Tabernacle M. E. churches, in Geneva county, or within the county of DeKalb or within two miles of the industrial high school at Healing Springs in Washington county; or within two miles of Pinetucky church, in Cleburne county; or within five miles of LaFayette county in LaFayette county, in Chambers county; or within five miles of Mountain Springs Baptist church in Chambers county; or within beat twelve (12) in the county of Butler, except in the corporate limits of the city of Greenville; or within two miles of Daleville Methodist or Baptist church in Dale county; or within three miles of Pilgrim Rest Baptist church, and Norton's Chapel Methodist church, in Etowah county; or within five miles of Oak Grove church, Fellowship church, Centre church, and Union Springs church in Henry county; or nearer New Mount Bethel church in cross-roads beat No. 4 (four), township two (2), range eight (8), in Lauderdale county, than the beat line in every direction from said church; or within three miles in any direction of Hebron Baptist church in township twenty (20), range fifteen (15), in Pickens county; or within four miles of Lebanon church or schoolhouse, in Limestone county; or within four miles of Shady Grove Methodist church, in Pike county; or within two miles of Mount Hope and Livingston Chapel churches in Cullman county; also within three miles of Bristows church, situated

at Keener, in Etowah county; or within three miles of Pleasant Ridge Missionary Baptist church in Red Ridge beat 9 in Tallapoosa county; or within two miles of the Methodist Protestant church at Macedonia in township 19, range 22, Tallapoosa county; or within five miles of Holly Pond Baptist church in Cullman county; or within four miles of O'Neal schoolhouse in Limestone county; or within the limits of Perry county except the towns of Marion and Uniontown; or within five miles of Cumberland church in Larkinsville, Jackson county; or within the limits or precinct number 10, in Jackson county; or within half a mile of 4 Mile Post Methodist church in Mobile county;" approved December 10th, 1890, in so far as it relates to and effects Centre church in Henry county, Alabama.

Mr. Pitts, of Dallas, chairman of the standing committee on Revision of Laws, reported that said committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

H. 776. To amend section 4751 (3832) of the Code of 1896.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 27. To provide for the payment of increased pensions to confederate veterans and the widows of confederate soldiers, out of the State treasury and the treasury of the several counties, and to further define who are entitled to receive pensions and to prohibit county officials from committing confederate veterans and widows of confederate veterans to county homes.

H. 707. For the relief of J. S. Moore, late sheriff of Walker county, Alabama, for the money expended by him for services of deputy sheriffs of Walker county for services rendered in the circuit court of Walker county for the late 14th judicial circuit.

H. 659. To provide that all "tag tax" collected on commercial fertilizers in the State of Alabama shall be

and is hereby constituted and made a part of the public school fund of this State, and that the same shall be collected, preserved and paid out exclusively for the benefit of the public schools of this State.

H. 624. To fix the compensation of the director of the department of archives and history.

H. 529. To provide for the relief of needy confederate soldiers and sailors.

Petition relative to appropriation for back pensions to old veterans, who as long as they could, declined to ask for a pension.

H. 517. To provide for the establishment, enlargement, maintenance and protection of libraries in the public schools of Alabama.

H. 391. To make an appropriation for the erection of monuments commemorating the heroic deeds of Alabama's sons, to be expended by "the Alabama Monument Commission," with the approval of the governor.

H. 349. To appropriate the sum of \$10,000.00 to build a monument at Chickamauga battlefield to the soldiers of Alabama.

H. 346. To provide for an increase in the pensions now paid to indigent soldiers and sailors or their widows by the State of Alabama, and to fix the time of paying same.

H. 342. . To amend sections 12 and 16 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved the 10th day of February, 1899.

H. 341. For the additional relief of needy confederate soldiers and sailors who are resident citizens of the State of Alabama and their widows by the appropriation of such sum, out of any funds in the treasury not otherwise appropriated as may be necessary to pay pensioners of the 1st class \$100.00 each, of the 2nd class \$83.33, of the 3rd class \$66.66, and of the 4th class \$50.00 each for the fiscal years beginning Oct. 1st, 1906, 1907, 1908, 1909.

H. 336. To provide for the erection of a monument to Alabama confederate dead who are buried in Stonewall cemetery at Winchester, Virginia.

H. 326. To make an appropriation for the marking and caring for the graves of the confederate soldiers in the State of Ohio.

H. 292. To pension all worthy confederate soldiers and the widows of such as have died.

H. 255. To appropriate money to preserve, remove, rebuild, remodel, repair, or reproduce in replica the Jefferson Davis house in the city of Montgomery, and to preserve the relics of the confederate States army and navy.

H. 219. To provide an artificial leg for every one-legged confederate soldier in the State of Alabama.

H. 201. To amend sections 3, 4, and 8 of an act entitled "An act to amend sections 4, 5, 6, 7, 8, 9, 10, 16, 18, and 20, of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows," approved February 10, 1899, which said amendatory act was approved March 4, 1901..

H. 200. To amend section one of an act, entitled "An act to amend section nine of an act entitled an act to amend sections 4, 5, 6, 7, 8, 9, 10, 16, 18, and 20 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows," approved February 10, 1899, which amendatory act was approved March 4, 1901.

H. 198. To appropriate out of any moneys in the treasury the sum of thirty-six thousand dollars annually for the support of the district agricultural schools.

H. 153. To appropriate five hundred thousand dollars to the public schools of the State of Alabama.

H. 101. To appropriate the fertilizer tag tax to the public schools of Alabama.

H. 94. To appropriate an additional sum of four hundred thousand dollars to the support and maintenance of the common public schools, to make the same immediately available, and to provide for the apportionment of said sum of money.

H. 62. To appropriate annually \$50,000 or so much thereof as is necessary, to aid rural school districts in this State, to erect or to repair public school houses.

H. 57. To make additional appropriation for the benefit of the public schools in Alabama.

H. 10. To appropriate from the general fund the sum of two hundred thousand dollars past to that fund from the agricultural fund or department under and by virtue of an act of the General Assembly of Alabama, approved March 15, 1901, and to provide for the payment by the State of Alabama of interest on said sum at the rate of six per centum per annum, and applying the principal to the support of the public common schools of the State and the interest to the maintenance of the experimental station and the agricultural and mechanical department of the Alabama Polytechnic Institute.

Mr. Mitchell, chairman of the standing committee on Claims and Fees, reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 244. To fix the pay of the members of the Legislature of Alabama.

H. 830. To allow and fix the fees of the sheriffs of the State of Alabama for performing official duties not now provided for by law.

S. 124. To amend section 1 of an act entitled an act to amend section 4583 of the Code of Alabama (1896), approved February 23rd, 1899.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. John:

H. 858. To appropriate five hundred dollars, or so much as may be necessary for the payment of the expert accountant employed by the governor to examine the books of the Tuskegee Normal and Industrial Institute and such State officers as the governor may deem proper as provided by a joint resolution approved January 28th, 1907.

Appropriations.

By Mr. Rushton :

H. 859. To prohibit the sale, or carrying in stock, by pawnbrokers, of firearms, bowie knives, brass knucks, sling shots, or other deadly weapons, and to provide for the punishment thereof. Revision of Laws.

By Mr. Armstrong, (with notice and proof) :

H. 860. To authorize the board of mayor and aldermen of the city of Bridgeport in Jackson county, Alabama, to permit school children living without the limits of said city, to attend the public schools, within said city upon such terms as said board may prescribe.

Education.

Notice and Proof. H. 860.

NOTICE.

Notice is hereby given that application will be made to the present Legislature to pass an act authorizing the city of Bridgeport, Alabama, to release manufacturing establishments within said city from the payment of city taxes.

And, also, application will be made to the present Legislature to pass an act giving the board of mayor and aldermen of the city of Bridgeport, Alabama, authority to permit children living without the corporate limits of said city to attend the public schools within said city upon such terms as said board may prescribe.

J. L. Hackworth, City Att'y.

The State of Alabama, }
 . Jackson County. }

Before me, W. W. McCutchen, probate judge for said county, personally appeared L. E. Brown, the editor and proprietor of the Progressive Age, a newspaper published in said county, who, being duly sworn, deposes and says that the foregoing notice was published in said newspaper for the period of 4 weeks prior to the 1st day of Feb., 1907.

L. E. Brown.

Sworn to and subscribed before me this 23rd day of Feb., 1907.

W. W. McCutchen,
 Probate Judge.

By Mr. Armstrong, (with notice and proof) :

H. 861. To authorize and empower the board of mayor and aldermen of the city of Bridgeport, Jackson county, Alabama, to release manufacturing establishments, within said city from the payment of city taxes.

Local Legislation.

Notice and Proof. H. 861.

NOTICE.

Notice is hereby given that application will be made to the present Legislature to pass an act authorizing the city of Bridgeport, Alabama, to release manufacturing establishments within said city from the payment of city taxes.

And, also, application will be made to the present Legislature to pass an act giving the board of mayor and aldermen of the city of Bridgeport, Alabama, authority to permit children living without the corporate limits of said city to attend the public schools within said city upon such terms as said board may prescribe.

J. L. Hackworth,
City Att'y.

The State of Alabama, }
Jackson County. }

Before me, W. W. McCutchen, probate judge for said county, personally appeared L. E. Brown, the editor and proprietor of the Progressive Age, a newspaper published in said county, who, being duly sworn, deposes and says that the foregoing notice was published in said newspaper for the period of 4 weeks prior to the 1st day of Feb., 1907.

L. E. Brown.

Sworn to and subscribed before me this 23rd day of Feb., 1907.

W. W. McCutchen,
Probate Judge.

By Mr. Doyle, of Clarke, (with notice and proof) :

H. 862. To provide for the payment of jurors in Clarke county, Alabama.

Local Legislation.

Notice and Proof. H. 862.

A BILL

To be entitled an act to provide for the payment of jurors in Clarke county, Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That grand jurors, regular and tales jurors serving in the circuit courts in civil and criminal cases, and those serving in the chancery court of the county of Clarke, are entitled to three dollars for every day's service as such jurors, five cents for each mile traveled in going to and returning from court, to be proved by the oath of the juror before the clerk or register of the court, whose duty it is to give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, and the amount of compensation to which he is entitled; which certificate shall be receivable in payment of county taxes and any other county dues, and payable out of the county treasury.

The State of Alabama, }
Clarke County. }

Before me, Wm. Jas. Johnson, a notary public in and for said State and county, personally appeared A. B. Tucker, who being by me first duly sworn, deposes and says that he is publisher of the Thomasville Echo, a newspaper published in Clarke county, Alabama.

That the above notice hereto attached was inserted in said newspaper in its issue of Jan. 24th, 1907, and has been published and has appeared regularly in five consecutive weekly issues of said Thomasville Echo.

A. B. Tucker.

Sworn to and subscribed before me on this the 27 day of Feby., 1907.

Wm. Jas. Johnson, N. P.

By Mr. Tunstall:

H. 863. To establish a normal school for education of white male and female teachers at Mountville, in Hale county, Alabama.

Appropriations.

By Mr. Glover :

H. 864. To regulate the practice and procedure of opening and vacating judgments confessed under power of attorney in notes and other instruments, authorizing the confession of judgment against the maker or obligor, and the staying of execution thereon.

Judiciary.

By Mr. Glover :

H. 865. To require any witness when changing his residence or location after having once been summoned in a cause, to notify the clerk of the court in which the cause is pending, of such change of residence or location, and to provide a punishment for violation hereof, and to prescribe the duties of said clerk in reference to same.

Judiciary.

By Mr. Pratt, (with notice and proof) :

H. 866. To extend and change the corporate limits of the town of Carrollton, in Pickens county, Alabama.

Municipal Organization.

Notice and Proof. H. 866.

NOTICE.

A bill will be introduced in the 1907 session of the Legislature of Alabama to extend and change the corporate limits of the town of Carrollton, Alabama, so that said limits shall be 660 yards equal distance north, east, south and west from the center of the present court house in said town.

The State of Alabama, }
Pickens County. }

Before me, M. B. Curry, a notary public in and for said county, personally appeared Marion Johnson, who being duly sworn doth depose and say that he is one of the publishers of the Alabamian-Herald, a newspaper published in said county, and that the foregoing notice was published in the said paper for four consecutive weeks prior to this date.

Marion Johnson.

Sworn to and subscribed before me this the 23rd day of February, 1907.

M. B. Curry,
Notary Public.

By Mr. Lyons, (with notice and proof) :

H. 867. To authorize the town of Roanoke, in Randolph county, Alabama, in its corporate name and capacity and through its legislative body, to establish, operate and maintain a dispensary in the town of Roanoke, Randolph county, Alabama, for the purpose of buying and selling spirituous, vinous, malt liquors, cider and other intoxicants, and to prohibit the sale of such liquors and other intoxicants in the town of Roanoke, Ala., otherwise than through such dispensary, and to provide for elections after its establishment under this act, to determine whether the operation of such dispensary shall be suspended or continued, said elections to be held at intervals not less than one year apart.

Temperance.

Notice and Proof. H. 867.

NOTICE.

Town of Roanoke,
The State of Alabama, }
County of Randolph.

The public will take notice that at the present or adjourned session of the Legislature of Alabama, sitting in the year 1907, a bill will be introduced to be enacted into a law, substantially as follows, to-wit :

A BILL

To be entitled an act to authorize the town of Roanoke, in Randolph county, Alabama, in its corporate name and capacity, and through its legislative body, to establish, operate, and maintain a dispensary in the town of Roanoke, Randolph county, Alabama, for the purpose of buying and selling spirituous, vinous, malt liquors, ciders and other intoxicants and to prohibit the sale of such liquors and other intoxicants in the town of Roanoke, Alabama, otherwise than through such dispensary and to provide for elections after the establishment of such dispensary under the act to determine whether the operation of such dispensary shall be continued or suspended,

such election to be held at intervals not less than one year apart. Said dispensary to be established and carried on within the corporate limits of the town of Roanoke, and the town of Roanoke shall invest its money in said dispensary business in amount not less than one thousand dollars nor more than ten thousand dollars, and the town of Roanoke, Alabama, in matters pertaining to the operation of said dispensary, shall sue and be sued. That the mayor and councilmen of said town shall immediately after the passage of said act establish, operate and maintain in the business portion of said town, a dispensary for the sale of spirituous, vinous, malt liquors, cider and other intoxicants. The mayor and councilmen of the town of Roanoke shall elect annually a suitable and fit man to act as dispensary manager, who shall have charge and control of said dispensary under the supervision of said mayor and councilmen except as to the purchasing of spirituous, vinous, malt liquors, cider and other intoxicants which said purchasing shall be done by the said mayor and councilmen and said mayor and councilmen shall appoint such assistants or other help as may be appropriate and necessary to conduct the affairs of said dispensary and provide such rules, regulations and ordinances not in conflict with the provisions of said act as may be appropriate and necessary for the proper conduct of said dispensary and shall remove said manager and his assistants and other help for neglect of duty, violation of law or the rules and regulations of said dispensary and to immediately fill their places; and require said dispensary manager before entering upon his duties to take and subscribe an oath for the faithful performance and honest discharge of the duties required of him by said act and to also require him to give a bond in the sum of one thousand dollars conditioned to faithfully account for all goods and moneys that may come into his hands as such manager and for the honest and faithful performance of such duties as are required of him. The mayor and councilmen shall fix the salary of said manager at a sum not to exceed nine hundred dollars per annum and fix the compensation of his assistants and other help at a sum not to exceed in the ag-

gregate one hundred dollars per annum. Said dispensary manager shall keep on hand a stock of spirituous, vinous, malt liquors, cider and other intoxicants to be purchased by the town of Roanoke under the supervision of the mayor and councilmen and said manager shall at the end of each month report to the mayor and councilmen the amount of stock on hand and what stock is necessary for the requirements of the dispensary. The quantity of liquor sold to any person or purchaser not to be less than a half pint nor more than four gallons, or a sale made to any one person or purchaser more than once in any one day, and no liquors to be drank upon the dispensary premises; said dispensary shall not be opened before sunrise and must be closed before seven o'clock p. m. of each day and remain closed on Sundays, election days and such other days as may be ordered by the mayor and councilmen. All liquors kept or sold in said dispensary to be kept in sealed packages, when broken shall at once be bottled up and sealed. An inspection and analysis of the stock on hand may be made from time to time by a competent chemist at the instance of the mayor and councilmen, and no sales to be made except for cash, said manager shall not permit any loitering or loafing about the dispensary premises and any person refusing to leave said premises shall be tried by the mayor and fined under such ordinance which said mayor and councilmen of Roanoke may enact for the regulation of said dispensary. Said mayor and councilmen shall have power to pass all ordinances, rules and regulations necessary for carrying out the purposes of said act and provide penalties for the violation of same. One half of the profits not to exceed twenty-five hundred dollars per annum arising from the operation of said dispensary shall be donated to the Roanoke Normal College and paid over to the president of the board of trustees for its maintenance and the remainder of said profits arising from the operation of said dispensary to be placed in the general fund of said town and disbursed as the mayor and councilmen may see fit. The sale of all spirituous, vinous, malt liquors, cider and other intoxicants within it the corporate town of Roanoke shall be prohibited from and after the pas-

sage of said act except through said dispensary under the provisions of said act. Said act shall take effect and become operative immediately after its passage and remain in full force and effect unless its operations shall be suspended by the result of elections in said act hereinafter provided. That the mayor of the town of Roanoke shall on the petition of fifty per cent of the qualified electors of said town filed with him at any time after the passage of said act cause an election to be held within said town within thirty days after the petition is filed to determine by the vote of qualified electors of said town whether or not the dispensary provided for in said act shall be carried on or suspended under the provisions of said act, and if at such election a majority of the votes cast be for a dispensary, then its operation shall be continued, but if the majority of votes cast at such election shall be against such dispensary, then the operation of said dispensary shall within ninety days after said election be suspended and its affairs wound up and closed. After the expiration of one year from the date of said first election, whether the result of said election was for or against such dispensary, the mayor shall, on a petition filed with him by fifty per cent of the qualified electors of the said town of Roanoke requesting such election, immediately cause a second election to be held in said town of Roanoke within thirty days after the filing of said petition to again determine whether or not said dispensary shall be operated under the provision of said act, and if at said election a majority of the votes cast be for a dispensary, then if said dispensary is at the time in operation, shall be continued, and if theretofore suspended by the result of the said first election it shall be reopened and its operation continued under said act, but if at said second election a majority of the votes cast be against a dispensary then such dispensary, if in operation, shall be suspended and its affairs wound up and closed within ninety days after the date of such election, and if said dispensary is not in operation at time of said second election, then such dispensary to remain closed. That after the expiration of one year from the preceding election a subsequent or successive election may be held to deter-

min whether said dispensary shall be operated or suspended and for this purpose any number of elections may be held provided one year has elapsed since the last preceding election was held and that fifty per cent of the qualified electors of said town shall file a petition therefor with the mayor of said town, which petition shall be the same as required to be filed in the first and second elections herein provided for, and if said subsequent or successive elections shall be held in the same manner and for the same purpose as previous elections and the result in like manner and effect shall determine whether or not said dispensary shall be operated. That only qualified electors of said town shall vote at any election held under said act. The said election shall be held, managed and conducted, the votes counted and the result declared under the law governing municipal elections in said town of Roanoke insofar as same may be applicable and at such election under said act the words "for a dispensary" and the words "against a dispensary" shall be written or printed on the ballots used in such elections, and electors desiring to vote in favor of said dispensary shall place a cross-mark to the left of "for a dispensary"; those voting against dispensary shall place a cross-mark to the left of the words "against a dispensary" and the votes shall be counted accordingly. The mayor shall appoint the managers and clerks in such manner as to give each side representation at such elections. In case of a tie vote in any of said elections held under said act then the status and operation of said dispensary shall not be effected or changed and all laws conflicting with said act shall be repealed.

John T. Heflin, Mayor.
 J. C. Wright, Councilmen.
 W. H. Stewart, "
 W. W. Wood, "
 E. P. Mickle, "

Attest: O. H. Stevenson.
 January 23rd, 1907.

The State of Alabama, }
 Randolph County. }

Before me, Jno. T. Heflin, mayor of the town of Roanoke, Randolph county, Alabama, personally appeared O. H. Stevenson, who being duly sworn, deposeth and saith that he is the editor of the Roanoke Leader, a newspaper published at Roanoke, Randolph county, Alabama, and that the notice hereto attached, was published in said Roanoke Leader for four consecutive weeks, prior to this date.

O. H. Stevenson,
 Editor Roanoke Leader.

Subscribed and sworn to before me this 2nd day of February, 1907.

John T. Heflin,
 Mayor of the Town of Roanoke, Ala.

By Mr. Lacy, of Walker, (with notice and proof) :

H. 868. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating drinks or beverages within five miles of the Corona Methodist church in Corona in Walker county, Alabama.

Temperance.

Notice and Proof. H. 868.

NOTICE.

Notice is hereby given that at the session 1907, of the Legislature of Alabama, application will be made for the enactment of a law in substance as follows:

A BILL

To be entitled an act to prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or bitters, beverages or drinks, within five miles of the Methodist church in Corona, Walker county, Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That it shall be unlawful for any person, firm or corporation to sell, give away or otherwise dispose of

spirituous, vinous or malt liquors, or intoxicating bitters beverages or drinks within five miles of the Methodist church in Corona, Walker county, Alabama.

Sec. 2. Be it further enacted, That any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty nor more than five hundred dollars, and may also be imprisoned in the county jail, or sentenced to hard labor for the county for not more than six months.

Sec. 3. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

The State of Alabama, }
Walker County. }

Before me, R. T. Knight, a justice of the peace in and for said county, personally appeared W. R. Richardson, who being by me duly sworn, deposes and says that he is the manager of The Mountain Eagle, a weekly newspaper published in said Walker county, Alabama; that he has personal knowledge that the attached notice to prohibit or giving away of liquor within 5 miles of the Methodist church at Corona, Ala., has been published in said Mountain Eagle for four consecutive weeks, commencing on the 9th day of January, 1907.

W. R. Richardson,
Manager.

Sworn to and subscribed before me this 26th day of February, 1907.

R. T. Knight,
Justice of the Peace.

RECESS.

On motion of Mr. Pitts, of Perry, the House recessed until 3:30 this afternoon.

AFTERNOON SESSION.

The hour of 3:30 having arrived, the House reconvened.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted to Mr. Avery on account of sickness.

PRIVILEGES OF THE FLOOR.

On motion of Mr. Maner the privileges of the floor were extended to Hon. S. J. Bowie, of Birmingham, for today.

LEAVE TO FILE PROTEST.

Mr. Tunstall asked unanimous consent of the House to file and have spread upon the Journal of the House, a protest against the ruling of the Speaker pro tempore, on his motion to indefinitely postpone the motion for the previous question on House bill 769 and pending amendments.

RESOLUTIONS.

The following resolutions were introduced

By Mr. Bulger:

H. R. 187. Resolved, that "House Bill" 58, be made special, paramount continuing order for Wednesday, July 10th, the second day of the session after the recess, at eleven o'clock a. m.

This bill has for its purpose, to amend section 6, 7, 16 and 23 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved February 10, 1899, with substitute by the committee.

And the resolution was referred to the committee on Rules.

By Mr. Maner:

H. R. 188. Resolved, that Senate bill 291, relating to sales of goods in bulk be made a special, paramount continuing order for Saturday immediately after the reading of the Journal.

And the resolution was referred to the committee on Rules.

By Mr. Rattray:

H. R. 189. Resolved, by the House that H. R. 647, "To require section foremen on whose section stock are killed or injured by any train or locomotive to notify the owner thereof and to prevent the burying or other disposition of said stock, until the owner has had a reasonable opportunity to inspect such stock and to provide a penalty therefor," be made a special, continuing paramount special order for 3:30 p. m. this evening, Feby. 28th.

And the resolution was referred to the committee on Rules.

By Mr. Rushton:

H. R. 190. Resolved, that House bill 291 be set down as a special, paramount continuing order for Saturday morning, March 2nd, 1907, immediately after reading the Journal.

And the resolution was referred to the committee on Rules.

By Mr. Steagall:

H. R. 191. Resolved, that Senate bill No. 90, To provide for the attendance of certain children of this State on the public schools of said State, be made a special order for Saturday morning, March 2, after reports of committees.

And the resolution was referred to the committee on Rules.

By Mr. Steagall:

H. R. 192. Resolved, that Senate bill No. 113, To define vagrancy and to provide for the proof and punishment thereof, be made special order after Senate bill No. 90 Saturday, the second of March.

And the resolution was referred to the committee on Rules.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engross-

ed the following bills:

H. 615. To amend sections 1321 and 1322 of the Code of 1896. (Relating to admission fees exacted of foreign corporations). (Thursday, Feb. 21, 1907, after H. 614.)

H. 557. To amend an act, entitled an act, to amend an act entitled an act, to regulate the issue of garnishments and the proceedings thereon in the county of Morgan approved Dec. 9, 1896, so that said act shall read as follows:

H. 721. To amend section one (1), of an act, "To amend section (2) two, (4) four, (5) five, (6) six and (7) seven of an act entitled an act to establish a new charter for the city of Bessemer, Alabama, approved December the 13th, 1900," approved February 28th, 1901.

H. 222. To amend section two (2) of an act to establish the inferior court of Demopolis precinct, Marengo county, Alabama, in lieu of all justices of the peace therein to be called city court of Demopolis, approved Sept. 26, 1903, and by adding section 14 to said act.

H. 725. To amend section 3 of an act entitled "An act to regulate the trial of misdemeanors in the county of Macon," approved February the 18th, 1891.

H. 125. To regulate the fine and forfeiture fund of Jefferson county and the disposal of moneys arising from fines, forfeitures and convict labor in said county.

H. 238. To authorize the commissioner's court of Baldwin county to surrender and convey the county buildings and grounds at Daphne to the trustees of a normal school to be established in said county.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills having examined the following House bills beg leave to report the same correctly enrolled:

H. 370. To amend section one of an act, entitled an act, to amend the act "to incorporate the city of Tusca-

loosa," approved March 12th, 1873, by amending section one of said act, so as to extend the boundary lines of said city, approved February 20, 1889, so as to fix, define, and enlarge the boundaries of the said city of Tuscaloosa.

H. 617. To provide for the establishment of dispensaries in Houston county, Alabama.

H. 618. To repeal an act entitled an act "To prohibit the manufacturing of vinous, spirituous or malt liquors, or to sell, give away or otherwise dispose of vinous, spirituous or malt liquors, or other intoxicating beverages within six miles of Union Hill Baptist church, in beat 17 of Henry county passed by the General Assembly of Alabama, session of 1898-1899 and approved on the 21st day of February, 1899.

H. 442. To amend section 4447 of the Code of 1896.

H. 379. To fix the salaries of the chancellors, supernumerary judge and circuit judges.

H. 536. To prohibit the sale, barter, exchange or giving away of spirituous, vinous or malt liquors or intoxicating drinks within Camp Smith precinct No. 12, and Wheeler precinct No. 9, in Colbert county.

H. 163. To fix the time of holding the city court of Montgomery.

H. 85. To constitute a board of jury commissioners for Choctaw county.

H. 50. To authorize the town of Pell City, in St. Clair county to establish and operate a dispensary for the purpose of buying and selling spirituous vinous and malt liquors and to provide for the distribution of certain profits arising therefrom, and for the purpose of better controlling and regulating the sale of such liquors upon the casting of a majority vote in favor of such dispensary at an election to be held by the qualified voters of precincts 10, 12, 15, 16, 19, 13, 14, 11, in St. Clair county on the 2nd Monday of April 1907, and upon the casting of a majority vote against such dispensary at the election herein provided for to repeal the act approved February 28th, 1903, establishing a dispensary at Pell City, the repeal to take effect December 31st, 1907.

H. 156. To provide for the payment of the outstanding indebtedness of the late municipal corporation

known as the mayor, aldermen and common council of the city of Mobile, evidenced by bonds of said corporation bearing date January 1st, 1881; to authorize the city of Mobile to issue bonds for that purpose; to create a lien upon the wharf property, and water front rights and privileges of the city of Mobile, to secure the payment of said bonds at maturity, and to regulate the application of the net revenues derived therefrom to aid the payment of interest on bonds issued under this act; to authorize the city of Mobile to levy a special tax to fully pay the interest on said bonds and to provide for the winding up of the trust created by the act of February 24th, 1881.

H. 371. To provide for the inspection of jails and alms houses.

H. 716. To authorize the town of Elba in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

H. 746. To authorize all towns and cities that are now or may hereafter be incorporated in the territory now known and described as precinct number three in Elmore county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom and to further regulate or prohibit the sale of such liquors in said precinct.

H. 178. To make appropriation for buildings, machinery and other necessary improvements at the Alabama Industrial School for White Boys.

H. 323. To provide necessary funds for maintenance, improvements, apparatus, and additions to the Medical College of Alabama.

H. 179. To make appropriation for the maintenance of the Alabama Industrial School for White Boys for the years 1907, 1908, 1909, and 1910.

H. 233. To appropriate the sum of forty thousand dollars (\$40,000) to the Alabama Schools for the Deaf and Blind.

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker pro tempore, of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the standing committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on enrolled bills having examined the following House bills beg leave to report the same correctly enrolled:

H. 455. To create and maintain an inferior court of record in and for the county of Covington, to define and provide for the powers, jurisdiction and procedure thereof; and to provide for officers thereof and their compensation.

H. 180. To provide for the sale and other disposition by the board of trustees of the University of Alabama, of such lands as have been or may be selected under and by virtue of an act of congress entitled "An act to increase the endowment of the University of Alabama from the public lands in said State," approved April 23, 1884; and to ratify and confirm such sales and other dispositions of said lands as may have heretofore been made.

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker pro tempore of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the standing committee on Enrolled Bills.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has originated and passed the following :

S. 150. To regulate the running of automobiles on the public highways in the State of Alabama, and to fix the liability of any owner or person running or operating an automobile over or along the public highways in this State for any injury done to persons or property and to provide a penalty for the violation of the provisions of this act.

S. 123. To amend sections 12 and 16 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved the 10th day of February, 1899.

And sends same to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The bills, the titles to which are set out in the above and foregoing Senate message, were severally read one time and referred to appropriate standing committees as follows :

Commerce and Common Carriers, S. 150.

Appropriations, S. 123.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has amended as therein shown, and as amended has passed the following House bills :

H. 108. To amend an act entitled an act "to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphates, fertilizer materials and chemicals in the State of Alabama," approved March 3, 1903.

H. 107. To prohibit the sale of adulterated cotton seed meal as fertilizers, to have the same analyzed and a guaranteed analysis printed on tags and tags attached to the bags containing the same, and in case of sales in bulk to

have such analysis set forth in the contract of sale and providing that all sales of such meal which does not contain the ingredients represented shall be void and that any money paid for same may be recovered by the purchaser.

And returns same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Steagall the House concurred in the Senate amendments to the bill, H. 107, said Senate amendment being as follows:

Amendments to H. B. 107:

AMENDMENTS TO H. B. 107.

Amend the title of the bill by striking out the following words, to-wit: "Providing that all sales of such meal which does not contain the ingredients represented shall be void and that any money paid for same may be recovered by the purchaser "and insert in lieu of such words the following words, to-wit: providing penalties and punishments for the violation of the provisions of this act.

Amend section 1 of the bill by adding immediately after the last words in said section the following words, to-wit; "And all such cotton seed meal containing 8 per cent. ammonia or above, offered for sale as fertilizers in sacks, bags, or other packages or parcels, shall have plainly stamped or printed in large capital letters upon the sacks, bags, or other packages or parcels containing the same, the words "high grade," and all cotton seed meal offered for sale in sacks, bags, or other packages or parcels, which contains less than 8 per cent ammonia shall have plainly stamped or printed in large capital letters upon the sacks, bags, or other packages or parcels, containing the same, the words "low grade."

Amend the bill by striking out all of section 2.

Amend the bill by striking out all of section 3.

Amend section 4 of the bill by renumbering the section so as it will be section 2; and further amend said section by striking out the words "any person" and insert in lieu thereof the words, "any consumer."

Amend section 5 so that the same will read as follows, to-wit:

Section 3, That any person, firm or corporation offering for sale cotton seed meal as fertilizers in this State, who fails to have tags attached to each bag, sack, or other parcel or package containing the same, with a guaranteed analysis of such meal printed thereon, or, in case of a sale in bulk, to have such analysis set forth in the contract of sale, stating the per cent of ammonia, phosphoric acid, or potash contained therein, or any person, firm or corporation who sells as fertilizers cotton seed meal which does not contain the ingredients as set forth in the contract of sale or stamped on the tags attached to the bags, sacks, or other packages or parcels containing the same; or any person, firm or corporation, who sells as a fertilizer any cotton seed meal containing less than 8 per cent. of ammonia; or any person, firm or corporation who sells any cotton seed meal in bags, sacks or other packages or parcels without having stamped or printed plainly in large capital letters on the sacks, bags or other parcels or packages containing the same, the words "high grade," provided such cotton seed meal contains 8 per cent. of ammonia or above, and the words, "low grade," provided such cotton seed meal contains below 8 per cent. of ammonia is guilty of a misdemeanor, and shall upon the first conviction be fined not less than \$100.00 nor more than \$1,000.00, and upon any subsequent conviction, not less than \$1,000.00 nor more than \$5,000.00.

Amend section 6 by numbering it so as it will be section 4.

Yeas, 66; nays, 0.

Yeas:

Messrs:—

Alford	Carmichael (Colbert)	Cooper
Ballard (Autauga)	Coleman (Lowndes)	Cranford
Ballard (Pike)	Coleman (Marshall)	Doyle (Clark)

Edwards	Lee (Houston)	Price
Fuller	Lindsey	Pugh
Glover	Long (Butler)	Rainer
Goodwyn	Long (Morgan)	Rice
Gunter	Lyons	Rowe
Haley	Malone	Sanders
Hughston	Maner	Sanford
Jenkins	Middleton	Sherrod
John	Mitchell	Smith (Lee)
Johnson	Moore	Smith (Etowah)
Killen	McDuffie	Smith (Franklin)
King	McMillan	Steagall
Kirby	Norville	Turner
Kornegay	Parker	Urquhart
Lacy (Dallas)	Pearson	Vann
Lacy (Walker)	Pitts (Dallas)	Weaver
Lancaster	Pitts (Perry)	White (Lamar)
Lawson	Powell (Bullock)	Williams
Lee (Etowah)	Pratt	Woolf

—66.

And on motion of Mr. Steagall the House concurred in the Senate amendment to the bill, H. 108, said Senate amendment being as follows:

Substitute for H. 108:

A BILL

To be entitled an act to amend an act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphates, fertilizer materials and chemicals, in the State of Alabama, approved March 3, 1903.

Section 1. Be it enacted by the Legislature of Alabama, That section 5 of an act entitled an act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphates, fertilizer materials and chemicals, in the State of Alabama, approved March 3, 1903, be amended so as to read as follows:

Section 5. If any commercial fertilizer, or fertilizer material, sold in this State, shall prove deficient in any of its ingredients as guaranteed and branded on the sacks, bags or packages containing the same, and if, by reason of such deficiency, the commercial value of such fertilizers shall fall more than five per cent below the guaranteed total commercial value of such fertilizer or fertilizer material, then any note or obligation given in payment therefor shall be collectable by law only for one-half of the amount of such note or obligation; provided further, that any person, firm, or corporation who sells any fertilizers or fertilizer material that shall prove deficient in any of its ingredients as guaranteed and branded on the sacks, bags, or packages containing the same, so that by reason of such deficiency the commercial value of such fertilizers shall fall below the guaranteed total commercial value of such fertilizer, or fertilizer material, shall be found guilty of a misdemeanor, and upon conviction shall be fined not less than one hundred nor more than one thousand dollars.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Alford	Haley	Moore
Ballard (Autauga)	Henley	McDuffie
Cannon	Hughston	McMillan
Carmichael (Clay)	John	Norville
Carmichael (Colbert)	Johnson	Parker
Coleman (Lowndes)	King	Pearson
Coleman (Marshall)	Kirby	Pitts (Perry)
Cooper	Kernegay	Powell (Bullock)
Cranford	Lacy (Walker)	Price
Doyle (Clark)	Lawson	Pugh
Dudley	Lindsey	Rainer
Edwards	Long (Butler)	Rice
Elrod	Long (Morgan)	Rowe
Fuller	Lyons	Sanders
Glover	Malone	Sanford
Goodwyn	Maner	Sherrod
Gunter	Mitchell	Smith (Lee)

Smith (Franklin)	Urquhart	White (Perry)
Steagall	Weaver	Williams
Thompson	White (Lamar)	Woolf

—60.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has received a message from his excellency the governor, with his objections to and proposed amendments of:

S. 48. To create the fifteenth judicial circuit for the State of Alabama, to be composed of the counties of Autauga, Chilton Elmore and Montgomery; to confer equity jurisdiction on said court as to matters arising in Autauga, Elmore and Chilton counties, and provide for registers in chancery therein; to provide for the appointment of a judge and solicitor for said court and for the removal of pending causes and the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit and to authorize the judge of said circuit court to adopt reasonable rules of practice to facilitate the business of the court.

And the Senate has amended the bill as proposed by concurring in and adopting such proposed amendment.

Yeas, 33; nays, 0.

Which is a majority of the whole number elected to the Senate.

And the Senate sends same to the House of Representatives.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Lancaster the House concurred in and adopted the amendments proposed by the governor to the bill, S. 48, said amendments being as follows:

To the Senate:

I herewith return Senate bill No. 48, entitled "An act, to create the fifteenth judicial circuit for the State of Alabama to be composed of the counties of Autauga, Chilton, Elmore and Montgomery; to confer equity ju-

risdiction on said court as to matters arising in Autauga, Elmore and Chilton counties, and to provide for registers of chancery therein; to provide for the appointment of a judge and solicitor for said court and for the removal of pending causes and the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries, in said circuit and to authorize the judge of said circuit court to adopt reasonable rules of practice to facilitate the business of the court; and to propose the following amendments:

Amend section 3 by inserting after the words "eighteen hundred dollars" the words "per annum."

B. B. Comer, Governor.

Yeas, 68; nays, 0.

Yeas:

Messrs:—

Alford	Henley	Moore
Ballard (Autauga)	Hoffman	McDuffie
Ballard (Pike)	Hughston	McMillan
Baltzell	Jenkins	Parker
Barton	John	Pearson
Benners	Johnson	Peete
Cannon	Killen	Pitts (Dallas)
Carmichael (Clay)	King	Pitts (Perry)
Carmichael (Colbert)	Kirby	Powell (Bullock)
Coleman (Lowndes)	Kornegay	Power
Coleman (Marshall)	Lacy (Dallas)	Pratt
Cooper	Lacy (Walker)	Price
Cranford	Lancaster	Pugh
Crum	Lawson	Rainer
Doyle (Clark)	Lee (Etowah)	Rowe
Dudley	Lindsey	Sanders
Edwards	Long (Butler)	Sherrod
Elrod	Long (Morgan)	Smith (Lee)
Fuller	Lyons	Smith (Franklin)
Glover	Malone	Urquhart
Goodwyn	Maner	White (Lamar)
Gunter	Middleton	Woolf
Haley	Mitchell	

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted and concurred in the amendments proposed by the governor to House bill 24:

H. 24. To make appropriations for the support and maintenance of the public schools of the State.

Yeas, 20; nays, 7.

And returns same herewith to the House.

J. A. Kyle,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House amendments to the following Senate bills:

S. 142. For the government of juvenile delinquents in the county of Mobile, Alabama.

S.1. To amend section 4 of an act to provide for subordinate employees of the Legislature.

J. A. Kyle,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in H. J. R. 184, relative to joint convention of the two Houses this afternoon at 4:45 for the purpose of electing two judges of the city court of Birmingham.

J. A. Kyle,
Secretary.

MESSAGE FROM THE GOVERNOR.

To the House of Representatives:

I herewith return House bill No. 167 entitled "An act to authorize the establishment of State depositaries for the State funds; to authorize State and county officers to deposit State funds therein; to provide for the regulation and control of such depositaries ;to provide se-

curity for the funds deposited therein; and to provide penalties for the violations of the rules and regulations prescribed for the establishment, management and control of such institution;" and propose the following amendments: Amend section 10, by adding the words "cease and" and before the words "But before" the word "determine." Amend section 13 by adding the words "they may" and before the words "funds into" the words "pay such", and add to section 13 the following words: "And the State treasurer by and with the approval of the governor may place all such funds or any part thereof, so paid to him, or any other funds that he may have at any time on hand, in any one or more of the State depositories under the same rules and regulations governing other deposits made under this act." Also amend by adding section 15 as follows, "That this act shall go into effect immediately upon its passage and approval.

B. B. Comer, Governor.

On motion of Mr. Long, of Morgan, the House concurred in and adopted the amendments proposed by the governor to the bill, H. 167, the title to which is set out in the above and foregoing message from the governor, by a majority vote of the whole House, the vote on said amendments being: Yeas, 71; nays, 0.

Yeas:

Messrs:—

Lindsey	Peete	Killen
Long (Butler)	Pitts (Dallas)	King
Long (Morgan)	Pitts (Perry)	Kirby
Lyons	Powell (Bullock)	Kornegay
Malone	Power	Lacy (Dallas)
Maner	Pugh	Lacy (Walker)
Middleton	Rowe	Lancaster
Mitchell	Haley	Lawson
Moore	Henley	Lee (Etowah)
McCrory	Hoffman	Cooper
McDuffie	Hughston	Cranford
McMillan	Jenkins	Crum
Parker	John	Doyle (Clark)
Pearson	Johnson	Dudley

Edwards	Barton	Sanford
Elrod	Benners	Sherrod
Fuller	Bulger	Smith (Elmore)
Glover	Cannon	Smith (Lee)
Goodwyn	Carmichael (Clay)	Smith (Franklin)
Gunter	Carmichael (Colbert)	Urquhart
Alford	Coleman (Lowndes)	Weaver
Ballard (Autauga)	Coleman (Marshall)	Williams
Ballard (Pike)	Rushton	Woolf
Baltzell	Sanders	

—71.

MESSAGE FROM THE GOVERNOR.

To the House of Representatives :

I herewith return House bill No. 136 entitled an "Act to establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, and provide for fees, commissions, fines, forfeitures, and juries in said court, provide for supplies for said court and repeal conflicting laws," and propose the following amendments: Amend section two by adding after the words "twenty-five hundred dollars" the words "per annum." Amend section 6 in the sixth line thereof by inserting after the word "term" and before the word "time" the words "in term."

B. B. Comer,

Feb. 28, 1907.

Governor.

On motion of Mr. Smith of Lee, the House concurred in and adopted the amendments proposed by the governor, to the bill, H. 136, the title of which is set out in the above and foregoing message from the governor, by a majority vote of the whole House.

Yeas, 65; nays, 0.

Yeas:

Messrs:—

Alford	Baltzell	Bulger
Ballard (Autauga)	Barton	Cannon
Ballard (Pike)	Benners	Carmichael (Clay)

Carmichael (Colbert)	John	McDuffie
Coleman (Lowndes)	Johnson	McMillan
Coleman (Marshall)	Killen	Parker
Cooper	King	Peete
Cranford	Kirby	Pitts (Perry)
Crum	Kornegay	Price
Doyle (Clark)	Lacy (Dallas)	Pugh
Dudley	Lacy (Walker)	Rainer
Edwards	Lawson	Rowe
Elrod	Lee (Etowah)	Sanders
Fuller	Lindsey	Sanford
Glover	Long (Butler)	Sherrod
Goodwyn	Long (Morgan)	Smith (Elmore)
Gunter	Lyons	Smith (Lee)
Haley	Malone	Weaver
Henley	Maner	White (Lamar)
Hoffman	Middleton	White (Perry)
Hughston	Mitchell	Woolf
Jenkins	Moore	

—65.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills your signature thereto is requested:

S. 137. Providing that no license or taxes of any character shall be required by the State, county or municipality from the Central Alabama Fair Association, or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

S. 185. To amend an act establishing the Blocton public school district in Bibb county, Alabama, approved February 28th, 1887.

S. 250. For the relief of W. A. Singleton and B. G. Singleton of Marengo county, Alabama, for the overpayment of money for the purchase of school lands in section 16, township 12, range 1, west.

S. 251. To prohibit the sale, delivery or other disposition of miner's oils, or any materials or substitutes for miner's oils, to be used in the mines in Jefferson

county, Alabama, without the official brand, stamp, label or stencil of the inspector of miner's oils for Jefferson county, Alabama, being affixed or attached to the barrel, package, cask, or vessel in which the article sold, delivered or disposed of is contained at the time of the disposition of delivery, and to provide for and regulate the payment of fees to such inspector for affixing such official brand, stamp, label or stencil and to regulate the charges and fees to be paid therefor.

S. 288. To constitute and establish that certain subway, now in course of construction and completion, under authority of an ordinance of the City of Birmingham, Ala., and extending underneath Twenty-sixth street, north, in the city of Birmingham, Ala., and between the western boundary line of said Twenty-sixth street, north, and the eastern boundary line of Twenty-seventh street, north, as a part of Fifth avenue, in said city, in lieu of all that part of Fifth avenue as heretofore constituted and established lying over and above and outside of said subway, and between the said Twenty-sixth and Twenty-seventh streets, and which is abandoned and discontinued as a public street, or highway.

S. 289. Declining on the part of the State of Alabama to accept for the purpose of establishing an industrial school for indigent white girls and young ladies of the State, that certain property in Marion, Perry county, Alabama, formerly known as Howard College, and now used and known as the Marion Military Institute.

S. 297. For the relief of J. M. Cobb and W. T. Taylor.

S. 302. To amend an act entitled an act to establish the city court of Bessemer, approved February 28th, 1901.

S. 315. To authorize the town of Dothan to establish, maintain, regulate and make efficient a dispensary in the town of Dothan, and to provide for the operation and carrying on of such dispensary by the said town of Dothan, and for a distribution of the net proceeds of the said dispensary.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker pro tempore of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Senate message.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed:

S. 281. To amend section 2516 of the Code, relating to the improvement of navigable streams by the court of county commissioners, and conferring the power of eminent domain therefor.

And orders same sent forthwith to the House without engrossment.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The bill the title to which is set out in the above and foregoing Senate message, was read one time and referred to an appropriate standing committee, as follows:

Judiciary, S. 281.

REPORT ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills has examined and found correctly engrossed the following bill:

H. 655. To establish a dispensary in and for the town of Dayton, in the county of Marengo, State of Alabama, and to provide for the conduct and regulation of the same.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

Mr. Lyons moved that the House remain in session until 6:30, and the motion prevailed.

Mr. Rice asked unanimous consent to call up a certain bill. Consent was granted and the bill:

H. 841. To amend section 4 of an act entitled "An act to establish at the University of Alabama, a summer school for teachers, and to provide an appropriation for its maintenance, and to provide for the examination of teachers attending said summer school," approved October 1, 1903.

Was taken up, and was read a third time, at length, and passed.

Yeas, 66; nays, 0.

Yeas:

Messrs:—

Alford	Johnson	Fowell (Bullock)
Ballard (Autauga)	Killen	Power
Ballard (Pike)	King	Pratt
Cannon	Lacy (Dallas)	Price
Carmichael (Clay)	Lacy (Walker)	Pugh
Carmichael (Colbert)	Lawson	Rainer
Coleman (Lowndes)	Lindsey	Rattray
Coleman (Marshall)	Long (Butler)	Rice
Cooper	Long (Morgan)	Rowe
Cranford	Lyons	Sanders
Doyle (Clark)	Malone	Sanford
Dudley	Maner	Seale
Edwards	Middleton	Sherrod
Elrod	Mitchell	Smith (Elmore)
Glover	Moore	Smith (Lee)
Goodwyn	McDuffie	Smith (Franklin)
Gunter	McMillan	Steagall
Haley	Parker	Turner
Henley	Pearson	Weaver
Hoffman	Peete	White (Lamar)
Hughston	Pitts (Dallas)	White (Perry)
John	Pitts (Perry)	Williams

—66.

On motion of Mr. Rice, the bill, H. 841, was ordered sent to the Senate without engrossment.

Mr. Lyons asked unanimous consent to call up a certain bill. Consent was granted and the bill:

H. 819. To dissolve the board of trustees of the Medical College of Alabama, and to vest the ownership and control of the property of said college in the board of trustees of the University of Alabama.

Was taken up. The question was upon the adoption of the substitute reported by the standing committee on Appropriations, said substitute being as follows:

A BILL

To be entitled an act to dissolve the board of trustees of the Medical College of Alabama, and to vest the ownership and control of the property of the Medical College in the board of trustees of the University of Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That the corporation styled the Medical College of Alabama, be and the same is hereby dissolved, and the institution heretofore known as the Medical College of Alabama is hereby declared and constituted the Medical Department of the University of Alabama, and shall hereafter be under the sole management, ownership and control of the board of trustees of the University of Alabama; provided, that the said Medical Department shall remain at Mobile for all time.

Sec. 2. That all appropriations of moneys made at the present session of the Legislature, or which may hereafter be made at said session in aid of the Medical College of Alabama shall enure to the benefit of the said Medical Department of the University of Alabama, and shall be paid to the trustees of the University of Alabama for the use and benefit of said medical department at Mobile, Alabama.

Sec. 3. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

And the substitute was adopted.

Yeas, 69; nays, 0.

Yeas :

Messrs :—

Alford	Haley	Parker
Ballard (Autauga)	Henley	Pearson
Ballard (Pike)	Hoffman	Peete
Baltzell	Hughston	Pitts (Dallas)
Barton	John	Pitts (Perry)
Benners	Johnson	Powell (Bullock)
Bulger	King	Powell (Covington)
Cannon	Kirby	Power
Carmichael (Clay)	Kornegay	Pratt
Carmichael (Colbert)	Lacy (Walker)	Pugh
Coleman (Lowndes)	Lancaster	Rainer
Coleman (Marshall)	Lawson	Rice
Cooper	Lindsey	Rowe
Cranford	Long (Butler)	Rushton
Crum	Long (Morgan)	Sanders
Doyle (Clark)	Lyons	Sanford
Dudley	Malone	Sherrod
Edwards	Maner	Smith (Elmore)
Elrod	Middleton	Smith (Lee)
Fuller	Mitchell	Smith (Franklin)
Glover	Moore	Weaver
Goodwyn	McDuffie	Williams
Gunter	McMillan	Woolf

—69.

And the bill:

H. 819. To dissolve the board of trustees of the Medical College of Alabama, and to vest the ownership and control of the property of said college in the board of trustees of the University of Alabama.

As amended by the substitute, was read a third time, at length and passed.

Yeas, 64; nays, 0.

Yeas :

Messrs :—

Alford	Benners	Coleman (Lowndes)
Ballard (Autauga)	Bulger	Coleman (Marshall)
Ballard (Pike)	Cannon	Cooper
Baltzell	Carmichael (Clay)	Cranford
Barton	Carmichael (Colbert)	Crum

Doyle (Clark)	Lacy (Dallas)	Parker
Dudley	Lacy (Walker)	Pitts (Dallas)
Edwards	Lancaster	Powell (Bullock)
Elroç	Lawson	Power
Fuller	Lee (Etowah)	Pratt
Glover	Lindsey	Price
Goodwyn	Long (Butler)	Pugh
Gunter	Long (Morgan)	Rowe
Haley	Lyons	Sanders
Henley	Malone	Sanford
Hoffman	Maner	Sherrod
Hughston	Middleton	Smith (Elmore)
John	Mitchell	Smith (Lee)
Johnson	Moore	Urquhart
King	McDuffie	Williams
Kirby	McMillan	Woolf
Kornegay		

- 64.

On motion of Mr. Lyons the bill, H. 819, was ordered sent to the Senate without engrossment.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the followig bill:

H. 769. To better provide for the revenue of the State and the more efficient assessment and collection of taxes, and for this purpose to create a commission to be known as the State tax commission of Alabama, and to prescribe the powers and duties of said commission, and its mode of procedure, and to abolish the office of State tax commissioner.

Ernest Lacy.

The report of the committee was concurred in.

Mr. John asked unanimous consent to call up a certain bill. Consent was granted and the bill:

H. 732. To make a supplemental appropriation for the payment of the increased salaries of the judicial officers of this State.

Was taken up. Mr. John offered the following amendment to the bill, H. 732:

"Amend H. B. 732 by adding thereto another section:

"Sec. 4. That there is hereby appropriated out of any money in the State treasury the sum of fifty-seven thousand dollars a year for the years 1907, 1908, 1909, and 1910, or so much thereof as may be necessary to pay the salaries of the judges of the city courts which heretofore have been paid out of the county treasuries, but are now made payable out of the State treasury."

And the amendment was adopted.

Yeas, 54; nays, 1.

Yeas:

Messrs:—

Alford	Gunter	Powell (Bullock)
Ballard (Autauga)	Haley	Power
Ballard (Pike)	John	Pratt
Baltzell	Kornegay	Price
Barton	Lacy (Walker)	Pugh
Benners	Lee (Etowah)	Rainer
Bulger	Lindsey	Sample
Carmichael (Clay)	Long (Butler)	Sanders
Carmichael (Colbert)	Malone	Sanford
Coleman (Lowndes)	Maner	Seale
Coleman (Marshall)	Mitchell	Smith (Franklin)
Cooper	Moore	Turner
Cranford	McDuffie	Urquhart
Crum	McMillan	Weaver
Edwards	Oliver	White (Lamar)
Elrod	Parker	White (Perry)
Fuller	Pitts (Dallas)	Williams
Glover	Pitts (Perry)	Woolf

—54.

Nays:

Mr. Cannon

—1.

And the bill:

H. 732. To make a supplemental appropriation for the payment of the increased salaries of the judicial officers of this State.

As amended, was read a third time, at length, and passed.

Yeas:

Messrs:—

Alford	Johnson	Powell (Covington)
Arrington	King	Power
Baltzell	Kirby	Pratt
Benners	Kornegay	Price
Bulger	Lacy (Walker)	Pugh
Carmichael (Clay)	Lancaster	Ragsdale
Carmichael (Colbert)	Lawson	Rainer
Coleman (Lowndes)	Lee (Houston)	Sample
Cooper	Lindsey	Sanders
Cranford	Lyons	Sanford
Crum	McDuffie	Seale
Doyle (Clark)	McMillan	Smith (Elmore)
Edwards	Oliver	Smith (Lee)
Elrod	Parker	Smith (Franklin)
Glover	Pearson	Urquhart
Goodwyn	Peete	White (Perry)
Gunter	Pitts (Dallas)	Williams
Haley	Pitts (Perry)	Woolf
John	Powell (Bullock)	

—56.

Nays:

Messrs:—

Cannon	Mitchell	Sherrod
Killen	Rushton	

—5.

JOINT CONVENTION.

The hour of 4:45 p. m. having arrived, pursuant to a House joint resolution heretofore adopted by the House and concurred in by the Senate, the Senate met with the House in the Hall of the House of Representatives, to elect by joint ballot two judges of the city court of Birmingham.

The joint convention was called to order by the President of the Senate, who directed the secretary of the Senate to call the roll of the Senate. The following senators answered to their names, being a majority of the Senate of Alabama, viz.:

Messrs :—

Barbour	Hamburger	Lowe	Reid
Bayles	Hamner	Lusk	Reynolds
Blackmon	Hayes	Merritt	Spragins
Davis	Heacock	Miller	Strother
Doster	Horton	Moody	Teasley
Forrester	Jones	McWhorter	Thomas
Gardner	King	Overton	White
Glenn	Leith	Reese	Wimberly
Gunn			

—33.

The Speaker pro tem. of the House directed the clerk of the House to call the roll of the House. The following members of the House of Representatives answered to their names, being a majority of the House of Representatives of Alabama, viz. :

Messrs :—

Alford	Goodwyn	Malone
Armstrong	Gunter	Maner
Arrington	Haley	Middleton
Ballard (Autauga)	Hoffman	Mitchell
Ballard (Pike)	Hughston	Moore
Baltzell	Jenkins	McCrary
Benners	John	McDuffie
Bulger	Johnson	McMillan
Cannon	Killen	Norville
Carmichael (Clay)	King	Oliver
Carmichael (Colbert)	Kirby	Parker
Coleman (Lowndes)	Kornegay	Pearson
Coleman (Marshall)	Lacy (Dallas)	Peete
Cooper	Lacy (Walker)	Pitts (Dallas)
Cranford	Lancaster	Pitts (Perry)
Crum	Lawson	Powell (Bullock)
Doyle (Clark)	Lee (Etowah)	Powell (Covington)
Dudley	Lee (Houston)	Power
Edwards	Lindsey	Pratt
Elrod	Long (Butler)	Price
Fuller	Long (Morgan)	Pugh
Glover	Lyons	Ragsdale

Rainer	Sherrod	Turner
Rattray	Smith (Elmore)	Urquhart
Rice	Smith (Lee)	Vann
Rowe	Smith (Etowah)	Weaver
Rushton	Smith (Franklin)	White (Lamar)
Sample	Steagall	White (Perry)
Sanders	Thompson	Williams
Sanford	Tunstall	Woolf
Seale		

—91.

The President of the Senate then announced that there being a quorum of the Legislature of Alabama, the joint convention was ready to proceed with the election of two judges of the city court of Birmingham, and that nominations were in order.

Mr. King, of the House, nominated Hon. C. C. NeSmith, of Birmingham, for judge of the city court of Birmingham.

Mr. Miller, of the Senate, nominated Hon. A. A. Shapre, of Birmingham, for judge of the city court of Birmingham.

Mr. Urquhart, of the House, nominated Hon. W. C. Garrett, of Birmingham, for judge of the city court of Birmingham.

Mr. Pitts, of Dallas, of the House, nominated Hon. A. C. Howze, of Birmingham, for judge of the city court of Birmingham.

Those who voted for Mr. NeSmith, are of the Senate:

Messrs:—

Barbour	Gunn	Lusk	Spragins
Bayles	Hamburger	Merritt	Strother
Blackmon	Heacock	Miller	Teasley
Davis	Jones	Moody	Thomas
Doster	King	Overton	White
Forrester	Leith	Reese	Wimberly
Gardner	Lowe	Reid	

—27.

And of the House:

Messrs:—

Alford	King	Pratt
Arrington	Kornegay	Price
Ballard (Autauga)	Lacy (Walker)	Pugh
Ballard (Pike)	Lancaster	Rainer
Benners	Lawson	Rattray
Bulger	Lee (Etowah)	Rushton
Cannon	Lee (Houston)	Sample
Carmichael (Colbert)	Long (Butler)	Sanders
Coleman (Lowndes)	Lyons	Sanford
Coleman (Marshall)	Maner	Seale
Cooper	Middleton	Smith (Lee)
Cranford	Mitchell	Smith (Franklin)
Doyle (Clark)	Moore	Steagall
Dudley	McCrory	Thompson
Elrod	McDuffie	Tunstall
Fuller	McMillan	Turner
Glover	Norville	Urquhart
Goodwyn	Parker	Vann
Haley	Pitts (Dallas)	Weaver
Henley	Pitts (Perry)	White (Lamar)
Hoffman	Powell (Bullock)	White (Perry)
Jenkins	Powell (Covington)	Williams
Johr	Power	Woolf
Johnson		

—70.

Those who voted for Mr. Sharpe are of the Senate:

Messrs:—

Barbour	Hamburger	Lowe	Reynolds
Bayles	Hamner	Lusk	Spragins
Blackmon	Hayes	Merritt	Strother
Davis	Heacock	Miller	Teasley
Forrester	Horton	McWhorter	Thomas
Gardner	Jones	Reese	White
Glenn	Leith	Reid	Wimberly
Gunn			

—29.

And of the House:

Messrs:—

Armstrong	Kirby	Ragsdale
Bulger	Lacy (Dallas)	Sample
Carmichael (Colbert)	Lancaster	Sanford
Coleman (Marshall)	Lawson	Sherrod
Cooper	Lee (Etowah)	Smith (Elmore)
Glover	Long (Butler)	Smith (Lee)
Goodwyn	Long (Morgan)	Smith (Etowah)
Haley	Lyons	Smith (Franklin)
Henley	Malone	Weaver
Hoffman	Oliver	Williams
Jenkins	Peete	Woolf
King		

—35.

Those who voted for Mr. Garrett are of the Senate:

Messrs:—

Glenn	Hamner	Horton	Overton
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—4.

And of the House:

Messrs:—

Baltzell	Johnson	Pearson
Benners	Killen	Pratt
Carmichael (Clay)	Kirby	Price
Crum	Kornegay	Ragsdale
Edwards	Lacy (Dallas)	Rowe
Fuller	Lindsey	Rushton
Gunter	Middleton	Smith (Etowah)
Hughston	Norville	Urquhart
John	Oliver	

—26.

Those who voted for Mr. Howze are of the Senate:

Messrs:—

Doster	King	McWhorter	Reynolds
Hayes	Moody		

—6.

And of the House:

Messrs:—

Alford	Arrington	Ballard (Pike)
Armstrong	Ballard (Autauga)	Baltzell

Cannon	Malone	Pugh
Carmichael (Clay)	Maner	Rainer
Coleman (Lowndes)	Mitchell	Rattray
Cranford	Moore	Rowe
Crum	McCrary	Sanders
Doyle (Clark)	McDuffie	Seale
Dudley	McMillan	Sherrod
Edwards	Parker	Smith (Elmore)
Elrod	Pearson	Steagall
Hughston	Peete	Thompson
Killen	Fitts (Dallas)	Tunstall
Lacy (Walker)	Pitts (Perry)	Turner
Lee (Houston)	Powell (Bullock)	Vann
Lindsey	Powell (Covington)	White (Lamar)
Long (Morgan)	Power	White (Perry)

—51.

The Speaker pro tem of the House then announced that Mr. NeSmith had received ninety-seven (97) votes; Mr. Sharpe had received sixty-four (64) votes; Mr. Garrett had received thirty (30) votes and that Mr. Howze had received fifty-seven (57) votes.

The Speaker pro tem of the House then proclaimed that Hon. C. C. NeSmith and Hon. H. A. Sharpe both having received a majority of all the votes cast, they were duly and constitutionally elected judges of the city court of Birmingham for the term prescribed by law.

The President of the Senate then announced that the purpose of the joint convention having been accomplished, the same was dissolved, and the Senate returned to its chamber.

BILLS ON THIRD READING.

S. 226. To make appropriation for the Confederate soldiers home at Mountain Creek, Alabama, and for other purposes.

Was read a third time, at length and passed.

Yeas, 66; nays, 0.

Yeas:

Messrs:—

Armstrong	Hughston	Pitts (Perry)
Arrington	Killen	Powell (Bullock)
Ballard (Autauga)	King	Power
Benners	Kirby	Pratt
Bulger	Kornegay	Price
Cannon	Lawson	Pugh
Carmichael (Clay)	Lee (Houston)	Rattray
Carmichael (Colbert)	Lindsey	Rowe
Coleman (Lowndes)	Long (Butler)	Rushton
Cooper	Long (Morgan)	Sanders
Cranford	Lyons	Sherrod
Crum	Malone	Smith (Elmore)
Doyle (Clark)	Mitchell	Smith (Lee)
Dudley	Moore	Smith (Franklin)
Edwards	McCrary	Steagall
Elrod	McDuffie	Thompson
Fuller	McMillan	Turner
Glover	Oliver	Vann
Goodwyn	Parker	White (Lamar)
Gunter	Pearson	White (Perry)
Haley	Peete	Williams
Henley	Pitts (Dallas)	Woolf

—66.

H. 58. To amend sections 6, 7, 16, and 23 of an act entitled an act for the relief of needy Confederate soldiers and sailors, resident citizens of Alabama, and their widows. Approved February 10, 1899.

Was taken up.

The question was upon the adoption of the substitute reported by the standing committee on Ways and Means, said substitute being as follows:

A BILL

To be entitled an act, for the relief of needy Confederate soldiers and sailors, resident citizens of Alabama, and their widows.

Section 1. Be it enacted by the legislature of Alabama, That any resident citizen of this State, who was

in the military or naval service of this State, or of the confederate States, and who did not desert the service of the State, or of the confederate States and who is not a pensioner of some other State, and who does not own property to the value of seven hundred and fifty dollars, or whose salary or income does not exceed three hundred dollars per annum, shall be entitled to the provisions of this act, as hereinafter provided, and the widow of any soldier or sailor of this State, or of the confederate States, who has not married since the death of such soldier or sailor, and whose husband did not desert the service of this State, or of the confederate States, and who is a resident citizen of the State at the time of filing her application, and who does not own property to the value of seven hundred and fifty dollars, shall also be entitled to relief under the provisions of this act, as hereinafter provided.

Section 2. That within sixty days after the passage of this act, the governor shall appoint for each county in the State three examiners, whose term of office shall be for six years from the date of appointment, one of whom shall be a practicing physician of good standing with his profession, another who shall be a practicing lawyer of good standing with his profession, and the other shall be an ex-confederate soldier or sailor of good moral character. The three shall constitute a board of examiners of pensions for the county for which they are appointed, and as such shall discharge all the duties prescribed for said board by this act, provided, that before entering upon the discharge of their duties under this act, each of said appointees shall file with the judge of probate of the county an oath in writing, to be administered by such judge, that they will honestly and faithfully discharge all the duties that may devolve upon them as such examiners.

Section 3. That upon the first Monday in July after the passage of this act, and upon the same date in each year thereafter, the county board of examiners shall meet at the county site of their respective counties and open an office for the examination of applicants for pensions under this act. They shall give due notice by

publication in some newspaper published in the county, or by posting at the court house door of the county and five other public places for three weeks of the time and place of their meeting. They shall keep their office open for the examination of applicants from nine o'clock a. m. until four o'clock p. m. in week days for the first five days after said first Monday in July, after which they may keep open for such time as may be necessary to examine the applications filed with them. It shall be the duty of the physician examiner to make physical examination of each applicant for the information of the county board, and it shall be the duty of the lawyer to make special examination of each application with all papers accompanying same, and see that the same are regular and in proper form.

Section 4. That any soldier or sailor who served in the confederate army, or in the militia, who deems himself entitled to the benefits of this act, shall file with the county board of examiners his application in writing upon blanks to be furnished him by the judge of probate of the county in which he resides, setting forth that he was a confederate soldier or sailor; or a soldier or sailor in the service of the State of Alabama; that he did not desert the service; that he is not possessed, either in his own name or that of his wife with property to the value of seven hundred and fifty dollars; that his income does not exceed three hundred dollars, from salary or otherwise; that owing to his disabled condition he cannot make a living by manual labor. He shall also state in what company and regiment (provided he was in a regiment), and what branch of the service he served; whether he was honorably discharged or whether he surrendered with the army; giving his age and the nature of the wound he received, also in what engagement such wounds were received, and the reason why he cannot make a livelihood by manual labor; he shall also file with said board a complete inventory of all property owned by him and his wife (provided he has a wife) stating the value of his or his wife's property contained in said inventory; the averments of the application must be sworn to by the applicant before one of

the county board of examiners or some other officer who is authorized by law to administer an oath. The fact of his having served in the confederate army or in the State troops of Alabama must be proven by the affidavit of two reliable persons who are acquainted with the facts, such affidavit must be sworn to before some officer authorized to administer an oath, and if such officer and witnesses be non-residents of the State of Alabama, the veracity of the witnesses shall be certified to by the officer taking the affidavit, or, if the affidavit of two such persons cannot be had, the application may be supported by other proof, sufficient to satisfy the county board of examiners beyond a reasonable doubt of the truth of every averment in the application, which evidence must be in writing and subscribed and sworn to by the witness and attached to the application; provided, that when an applicant has his parole or honorable discharge, said instrument shall be prima facie proof of his right to a pension.

Section 5. That, if the widow of any confederate soldier or sailor, or the widow of any Alabama soldier or sailor, who served the State in the war between the States, and who is a citizen of the State at the time of filing her application, and not a pensioner of some other State, deems herself entitled to the benefits of this act, she shall file with the board of examiners of the county of her residence her application in writing upon blanks to be furnished by the judge of probate of the county, stating the name of her deceased husband, the company and regiment to which he belonged, whether he was killed or died in the service or not, that she has not since remarried, and that the value of her property does not exceed seven hundred and fifty dollars, and that she has not sufficient means of support. She shall also file with said board a complete inventory of all the property, both real and personal, that she owns, which application must be sworn to by the applicant, and that the fact of her deceased husband having served as alleged and of his not deserting must be proven by the affidavit of two reliable witnesses, who are acquainted with the facts, or by a parole or discharge given him at the sur-

render, or if such evidence cannot be had, the application may be supported by other proof, sufficient to satisfy the county board of examiners beyond a reasonable doubt of the truth of every averment in the application, which evidence must be in writing and subscribed and sworn to by the witness and attached to the application. All affidavits under this section shall be sworn to before some officer authorized to administer an oath, and if the officers and witnesses are non-residents of the State of Alabama, the officer taking the affidavit shall certify to the veracity of the witnesses; provided, that the widow of any confederate veteran, who is now on the pension rolls, as now existing, shall be placed on the pension record, and she shall become entitled to the amount of money allowed by law to the widows of confederate veterans, upon proof by two reputable witnesses that she is the widow of such confederate veteran, and has not remarried since the death of her husband.

Section 6. That at the July term or session of the county board in each year they shall call before them all applicants for pensions under this act and subject them to an oral and physical examination, reducing said examination to writing, to be submitted to the State auditor; they shall also furnish to the State auditor their total valuation of the property owned by the applicant. If the county board of examiners shall find themselves unable to decide upon an application from the evidence submitted, they shall have the authority to summon witnesses, or consider other evidence they may be able to secure in passing upon applications; provided, if an applicant is not able to appear before the board by reason of inability to travel or insanity, and the board is satisfied of the merits of the application or can ascertain from reliable witnesses the information necessary for their intelligent decision, they shall have the authority to do so. The county board shall submit to the State auditor their decision in each case examined by them, stating whether or not the application should be granted, and, if, granted, from what disability the applicant is suffering, together with any comments or information that may be of value to the State auditor in arriving at

an equitable decision. All applications passed upon by the county board, together with all papers pertaining thereto, including their own findings, whether the application be granted or not, shall be by the county board of examiners forwarded to the State auditor at Montgomery, Alabama, on or before the 5th day of August of each year.

Section 7. That it shall be the duty of the State auditor to examine carefully and separately each application, together with all the evidences furnished by each county board, and, if the application is regular and in form, and has been approved by the county board, the State auditor shall decide in what class each pensioner shall be placed. If the application be granted, he shall so endorse upon the back of the application, and, if the application is not regular and in form, and has been approved by the county board, the State auditor shall refuse said application and shall so endorse it, and give the grounds of his refusal.

Section 8. That, as compensation for services rendered under this act, the county board of examiners shall receive one dollar for each application passed upon by them. Upon receipt of an itemized account, sworn to as other claims against the State, from the county board of examiners, by the State auditor, he finding the same to be correct and unpaid shall draw his warrant upon the State treasurer payable out of the pension fund then on hand in payment thereof.

Section 9. That the beneficiaries of this act, shall be divided into three classes, as follows: Soldiers or sailors, who are totally blind, or who have lost two limbs, or the entire use thereof, and those who have lost a leg above the knee, or an arm above the elbow, shall be in class number one; those, who have lost a foot or hand, or the entire use thereof, and those including widows whose real and personal property, including household goods, does not exceed in value one hundred and fifty dollars, shall be in class number two; and all others, including widows shall be in a class number three. All who are now on the pension roll in classes numbers one two shall be placed upon the roll as class number one

without further examination; all who are now on the pension roll in class number three shall be placed upon the roll as class two without further examination; and all who are now on the pension roll in class number four shall be placed upon the roll as class number three without further examination.

Any pensioner deeming himself eligible to a higher class in the pension roll may make application to the county board at its regular terms. The application shall state the grounds upon which the right to the advance is based. Must be supported by sufficient proof to satisfy the board, and shall be passed upon, approved, and classified as in original applications. If any pensioner or applicant for a pension has given, conveyed, or otherwise disposed of his property to his children, or any one else, he to remain in possession and have the use of the same during life, then said property shall be considered as the property of the pensioner in passing upon the application or the pensioners right to remain on the pension roll.

Section 10. That the State auditor shall have prepared a substantially bound and properly ruled record to be used as a permanent State record of pensions, in which he shall have recorded in alphabetical order according to counties the names of all pensioners who have been granted relief under this act by the boards of examiners, giving the command to which each pensioner belonged, age at the time of filing his application, branch of service, nature of disability under which he claims a pension, nature of wounds if wounded in the service, and the engagement, or engagements, in which such wounds were received, together with the amount of property owned by such pensioner. All applications rejected by the State auditor shall be returned to the county boards of examiners, who shall file them with the judges of probate in the respective counties to be kept for future reference.

Section 11. That it shall be the duty of the State auditor, after completing the record provided for by section 10 of this act, to furnish each judge of probate in the State, an abstract of all pensioners in his county,

which abstract of copy shall be by the probate judge recorded in a substantially bound and properly ruled book, to be kept in his office as a public record of pensions.

Section 12. That immediately after the passage of this act, the State auditor shall prepare and furnish to the judges of probate in the State, sample copies of blank applications, affidavits and such other blanks as he may deem necessary to carry out the provisions of this act. It shall be the duty of each judge of probate to have printed without delay a sufficient number of all blanks furnished him for the use of the applicants in his county, and these blanks shall be furnished free of charge to those desiring to make application for relief under this act, provided, that all blanks, records and other stationery necessary for the use of the applicants or the county board of examiners shall be paid for by the county as other stationery for the county, and that used by the State auditor shall be paid for by the State as other stationery for the State.

Section 13. That all pensioners in class number one shall receive seventy-two dollars per annum; those in class number two shall receive fifty-four dollars per annum; and those in class number three shall receive thirty-six dollars per annum; one-half of which amounts shall be paid respectively on January first and July first. And it shall be the duty of the State auditor on the first day of May, 1907, and the first day of November, 1907, and each year thereafter, to ascertain the number of pensioners in each class, and the amount required to pay each pensioner as above provided. He shall report these facts together with amount of pension funds on hand subject to distribution, to the governor, and, if the amount of pension funds on hand is not sufficient to pay each pensioner the amounts hereinbefore provided, it shall be the duty of the governor to draw his warrant on the general fund in the treasury for an amount sufficient, together with the pension fund on hand, to pay each of said pensioners the respective amounts provided for. And, if on November 1st, of any year there should be more than required to complete the annual allowance of pensions in the pension fund it

shall be the duty of the auditor to prorate said surplus among all of the pensioners according to classification and such increase shall be included in the warrants issued in following January.

Section 14. That, as early after the first day of January, and the first day of July, in each year, as practicable, the State auditor shall draw his warrant in favor of each pensioner, upon the treasurer, for such amount as may be found due under the provisions of this act, which warrant, together with a blank receipt to be signed by the payee upon the receipt of such warrant, shall be sent to the judge of probate of the county in which the pensioner resides. It shall be the duty of the judge of probate to deliver such warrants to the payees, having them to sign the receipt accompanying, which receipts the judge of probate shall retain in his custody, until the first day of January and the first day of July respectively in each year, after which dates he shall return to the auditor all receipts taken by him for such pensions, together with any warrant that he may have in his hands, which he could not deliver. All warrants so returned to the auditor shall be by him cancelled, and no other warrant shall be issued in the places of those cancelled.

Section 15. That it shall be the duty of the county board of examiners in each year to revise the pension roll of their respective counties, and if upon careful investigation it should appear to them that any pensioner whose name stands on the roll is in any way illegally drawing a pension, the name of such pensioner, together with the name of any pensioner who has died or removed from the State, shall be sent to the State board of examiners with a recommendation that the name of such pensioner be erased from the pension roll. If upon receipt of such information by the State auditor, it should appear to him that any erasures should be made from the roll, it shall be his duty to so notify the judge of probate, and no warrant shall thereafter be issued to any pensioner whose name the State auditor shall decide should be erased from the pension roll. Provided, that should a pensioner die after the office of the county board of ex-

aminers has been closed and prior to the issuance of the warrant, and the name of the widow of such pensioner has not been placed upon the pension roll for the same year the judge of probate shall deliver the warrant to the widow or minor child or children of such deceased pensioner, and should there be no widow or minor child of such deceased pensioner, the judge of probate shall endorse and collect the warrant and attach to them his certificate showing the facts upon which he is authorized to so endorse and collect the warrant, and the proceeds thereof he shall apply first to the payment of the burial expenses; second, to the expense of the last illness of such pensioner.

Section 16. That it shall be the duty of the judge of probate to notify the State auditor of the death, or removal from the State, of any soldier, sailor, or widow, or the marriage of the widow of any soldier or sailor, whose name stands on the pension rolls, that may take place in his county, also the names of all soldiers, sailors, or the widows thereof, who, subsequent to the last report, may have acquired in any way whatever, property to the value of \$750 or an income of \$300 or more from salary or otherwise, also the name of any one that the county board of examiners may certify is improperly or unlawfully upon the pension roll, and also make entry of such occurrence upon the county records of pensions. The auditor upon the receipt of such information shall note the same upon the State pension record, and discontinue the issue of warrants in their name; provided, that should a pensioner die before the first day of May next preceding the issuance of the warrant and the name of the widow of such pensioner has not been placed upon the pension roll for the same year, the judge of probate shall deliver the warrant to the widow or minor child or children of such deceased pensioner, and should there be no widow or minor child or children of such deceased pensioner, the judge of probate shall endorse and collect the warrant, and attach to it, his certificate, showing the facts upon which he is herein authorized to so endorse and collect the warrant,

and the proceeds thereof he shall apply first to the payment of the burial expenses, second to the expenses of the last illness of such pensioner. This proviso shall apply in all cases arising after the first day of May, 1901.

Section 17. Be it further enacted, That the failure of an applicant to give the day of enlistment or discharge or the letter of the company or regiment in which he served shall not be sufficient cause of rejectment. Neither shall the fact of having done service in the home guard or State reserve or State militia of any other State than Alabama entitle an applicant to relief under this act.

Section 18. That it shall be ascertained that any pensioner secured the grant of his pension, by misrepresentation either by himself or others, his name shall be stricken from the pension records of the county and State, and the fact be reported to the grand jury for their investigation.

Section 19. That each member of the county board is hereby authorized and granted power to administer oaths to applicants and witnesses. Any applicant under this act, or any witness examined, or whose affidavit is used in connection with an application, who swears falsely to any material matter, in connection therewith, shall be guilty of perjury..

Section 20. That to carry out the provisions of this act, a special tax of one mill on each one dollar of the taxable property of the State shall be assessed and collected annually, as other taxes are, but separately reported by the assessors and collectors, and set apart in the treasury to carry out the provisions of this act, but the benefit of this act shall not enure to any soldier, or sailor, or the widow of any soldier or sailor, who owns \$750 worth of property, or who has an annual income of \$300 or more.

Section 21. That all laws and parts of laws in conflict with the provisions of this act, be and the same are hereby repealed.

Mr. Sanders offered the following amendment to the substitute:

To amend section one by striking out the words in line five, seven hundred and fifty dollars, and adding in lieu thereof, the words fifteen hundred dollars, also by striking out the words in line five and six, three hundred dollars, and adding in lieu thereof, the words five hundred dollars. Also by striking out the words in lines ten and eleven, seven hundred and fifty dollars, and adding in lieu thereof the words fifteen hundred dollars.

On motion of Mr. White of Perry, the amendment offered by Mr. Sanders was laid upon the table.

Mr. Smith of Franklin, offered the following amendment to the substitute:

Amend section 13 by striking out the lines 1, 2, and 3, and insert in lieu thereof the following:

"Section 13. That all pensioners in class number one shall receive \$96.00 per annum; those in class number two shall receive \$60.00 per annum, and those in class number three shall receive \$40.00 per annum.

On motion of Mr. Sample the amendment offered by Mr. Smith, of Franklin, was laid upon the table.

And the substitute was adopted.

Yeas, 64; nays, 0.

Yeas:

Messrs:—

Armstrong	Doyle (Clark)	Johnson
Arrington	Edwards	Killen
Ballard (Autauga)	Elrod	King
Ballard (Pike)	Fuller	Kirby
Benners	Glover	Lancaster
Bulger	Goodwyn	Lawson
Cannon	Gunter	Lee (Houston)
Carmichael (Clay)	Henley	Long (Morgan)
Coleman (Lowndes)	Hoffman	Malone
Coleman (Marshall)	Hughston	Maner
Cooper	Jenkins	Moore
Crum	John	McCrary

McDuffie	Rainer	Steagall
McMillan	Rowe	Tunstall
Oliver	Rushton	Turner
Parker	Sample	Urquhart
Pitts (Dallas)	Sanders	Vann
Pitts (Perry)	Sanford	White (Lamar)
Powell (Bullock)	Sherrod	White (Perry)
Power	Smith (Elmore)	Williams
Price	Smith (Franklin)	Woolf
Pugh		

—64.

And the bill:

H. 58. To amend sections 6, 7, 16, and 23 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows. Approved February 10, 1899.

As amended by the substitute;

Was read a third time, at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:—

Armstrong	Jenkins	Power
Arrington	John	Pugh
Ballard (Autauga)	Johnson	Ragsdale
Ballard (Pike)	Killen	Rainer
Benners	King	Rowe
Bulger	Kirby	Rushton
Cannon	Lancaster	Sample
Carmichael (Clay)	Lee (Houston)	Sanders
Carmichael (Corbert)	Long (Butler)	Sanford
Coleman (Lowndes)	Long (Morgan)	Sherrod
Coleman (Marshall)	Lyons	Smith (Elmore)
Cooper	Malone	Smith (Franklin)
Cranford	Mitchell	Steagall
Crum	Moore	Tunstall
Doyle (Clark)	McCrory	Turner
Edwards	McDuffie	Urquhart
Elrod	McMillan	Vann
Fuller	Oliver	White (Lamar)
Goodwyn	Parker	White (Perry)
Henley	Pitts (Dallas)	Williams
Hoffman	Pitts (Perry)	Woolf
Hughston	Powell (Bullock)	

—65.

On motion of Mr. Bulger the bill H. 58 was ordered sent to the Senate without engrossment.

BILLS ON THIRD READING.

S. 136. To further regulate the financial affairs of Dallas county.

Was read a third time, at length and passed.

Yeas, 61; nays, 0.

Yeas:

Messrs:—

Alford	Glover	McDuffie
Armstrong	Goodwyn	Parker
Arrington	Gunter	Pitts (Dallas)
Ballard (Autauga)	Henley	Pitts (Perry)
Ballard (Pike)	Hoffman	Powell (Bullock)
Baltzell	Hughston	Power
Barton	Jenkins	Price
Benners	John	Pugh
Bulger	Killen	Rainer
Cannon	King	Rowe
Carmichael (Clay)	Kornegay	Rushton
Carmichael (Colbert)	Lacy (Dallas)	Sample
Coleman (Lowndes)	Lacy (Walker)	Sanders
Coleman (Marshall)	Lancaster	Sanford
Cooper	Long (Butler)	Sherrod
Cranford	Lyons	Smith (Elmore)
Crum	Maner	Steagall
Doyle (Clark)	Mitchell	Urquhart
Edwards	Moore	Vann
Elrod	McCrary	Woolf
Fuller		

—61.

H. 704. To amend section 2206 of the code of 1896.

Was read a third time, at length and passed.

Yeas, 52; nays, 2.

Yeas:

Messrs:—

Armstrong	Ballard (Pike)	Carmichael (Clay)
Arrington	Benners	Carmichael (Colbert)
Ballard (Autauga)	Bulger	Coleman (Lowndes)

Coleman (Marshall)	Killen	Pugh
Cooper	King	Rainer
Cranford	Lancaster	Rowe
Crum	Long (Butler)	Rushton
Doyle (Clark)	Long (Morgan)	Sanders
Edwards	Maner	Sanford
Fuller	Moore	Sherrod
Goodwyn	McDuffie	Smith (Franklin)
Gunter	McMillan	Steagall
Henley	Parker	Tunstall
Hoffman	Pearson	Urquhart
Hughston	Pitts (Perry)	Vann
Jenkins	Powell (Bullock)	Williams
John	Power	Woolf
Johnston		

—52.

Nays:

Messrs:—

Cannon

Sample

—2.

On motion of Mr. McDuffie the bill H. 704 was ordered sent to the Senate without engrossment.

H. 812. To amend section eight (8) of an act entitled an act to amend, reconstruct, and provide for the enforcement of laws relating to public health.

Was read a third time, at length and passed.

Yeas, 33; nays, 22.

Yeas:

Messrs:—

Armstrong	Gunter	McCrory
Ballard (Autauga)	Henley	McDuffie
Ballard (Pike)	Hoffman	Pitts (Dallas)
Benners	Hughston	Ragsdale
Carmichael (Clay)	Jenkins	Rainer
Carmichael (Colbert)	John	Sample
Coleman (Lowndes)	Johnson	Smith (Franklin)
Cooper	King	Steagall
Edwards	Lyons	Vann
Glover	Maner	White (Perry)
Goodwyn	Moore	Williams

—33.

Nays:

Messrs:—

Cannon	Long (Butler)	Rushton
Cranford	McMillan	Sanders
Fuller	Parker	Sherrod
Haley	Pitts (Perry)	Smith (Elmore)
Killen	Powell (Bullock)	Smith (Lee)
King	Pugh	Smith (Etowah)
Lancaster	Rowe	Tunstall
Lee (Etowah)		

—22.

On motion of Mr. Vann the bill H. 812 was ordered sent to the Senate without engrossment.

ADJOURNMENT.

The hour of 6:30 having arrived under the rules the House adjourned until 8 o'clock tonight.

NIGHT SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll the following members answered to their names:

Messrs:—

Ballard (Autauga)	Fuller	Maner
Baltzell	Glover	Mitchell
Barton	Haley	Moore
Benners	Henley	McCrary
Bulger	Hoffman	McMillan
Cannon	John	Parker
Carmichael (Golbert)	Johnson	Pearson
Coleman (Lowndes)	King	Peete
Coleman (Marshall)	Lacy (Walker)	Pitts (Perry)
Cooper	Lee (Etowah)	Powell (Bullock)
Crum	Lee (Houston)	Power
Doyle (Clark)	Lindsey	Pugh
Elrod	Long (Butler)	Rainer

Rice	Sherrod	Urquhart
Sample	Smith (Elmore)	Vann
Sanford	Smith (Franklin)	Weaver
Seale	Tunstall	Woelf

—51.

No quorum being present on motion of Mr. Smith of Franklin, the House adjourned until 10 o'clock tomorrow morning.

THIRTY-FOURTH DAY.

Friday, March 1st, 1907.
House of Representatives,

The House met pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Emerson, of Birmingham.

ROLL CALL.

On a call of the roll the following members answered to their names:

Messrs:—

Alford	Cooper	Hughston
Armstrong	Cranford	Jenkins
Arnold	Crum	John
Arrington	Doyle (Clark)	Johnson
Ballard (Autauga)	Dudley	Killen
Ballard (Pike)	Edwards	King
Baltzell	Elrod	Kirby
Barton	Foster	Lacy (Dallas)
Benners	Fuller	Lacy (Walker)
Bulger	Glover	Lancaster
Cannon	Goodwyn	Lawson
Carmichael (Clay)	Gunter	Lee (Etowah)
Carmichael (Colbert)	Haley	Lee (Houston)
Coleman (Lowndes)	Henlev	Lindsey
Coleman (Marshall)	Hoffman	Long (Butler)

Long (Morgan)	Powell (Bullock)	Sherrod
Lovelady	Powell (Covington)	Smith (Elmore)
Lyons	Power	Smith (Lee)
Maner	Pratt	Smith (Etowah)
Middleton	Price	Smith (Franklin)
Mitchell	Pugh	Steagall
Moore	Ragsdale	Thompson
McCrory	Rainer	Tunstall
McDuffie	Rattray	Turner
McMillan	Rice	Urquhart
Norville	Rowe	Vann
Oliver	Rushton	Weaver
Parker	Sample	White (Lamar)
Pearson	Sanders	White (Perry)
Peete	Sanford	Williams
Pitts (Perry)	Seale	Woolf
Pitts (Dallas)		

—94.

A quorum was present.

JOURNAL.

The chairman of the standing committee on revision of the Journal made the following report:

Mr. Speaker:

Your committee on the revision of the Journal beg leave to report as follows.

We have examined the Journal for the thirty-third day and find the same to be correct.

H. B. Steagall, Chairman.

The report of the committee was concurred in, and the Journal of the 33rd day was approved.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted to Mr. Malone, and indefinite leave of absence was granted to Mr. Smith of Etowah, after today, and to Mr. Kornegay for today.

RESOLUTION.

The following resolution was introduced :

By Mr. Bulger :

H. J. R. 193. Resolved by the House, the Senate concurring, that a joint committee of five—three from the House and two from the Senate—to examine and compare House bill fifty-eight and substitute to same and Senate bills 122 and 123 all of which bills relate to the appropriation and distribution of the fund known as the confederate veteran fund and report if practicable a bill or substitute that will meet the demands and satisfy all concerned and that said committee be authorized to sit during the session.

The rules were suspended and the resolution adopted. Committee on part of the House, Messrs. Bulger, Hughston and McCrory.

REPORT OF RULES COMMITTEE.

Mr. John from the committee on Rules returned to the House the following resolutions with a favorable report:

H. R. 186. Whereas, The secretary of State during the present term of the legislature provided codes and acts for each member of the House, through the doorkeeper of the House, and whereas, the said doorkeeper of the House through resolution adopted provided an annotated copy of the constitution of Alabama for each member of said House, and whereas, a number of said books appear to have been lost or misplaced, and whereas, the doorkeeper of the House and the secretary of State are without relief for said missing books, now therefore be it resolved by the House, that the books that have been distributed to the members of the House at the present session be retained by them, and the said doorkeeper and the secretary of State be and they are hereby relieved of all liability for said books.

And the resolution was adopted.

By Mr. Maner.

H. R. 188. Resolved, That Senate bill 291 relating to sales of goods in bulk be made a special, paramount, continuing order for Saturday immediately after the prior standing orders for the day.

And the resolution was adopted.

By Mr. Steagall:

H. R. 191. Resolved that Senate bill No. 90, to provide for the attendance of certain children in this State on the public schools of this State, be made a special order for Saturday morning March 2, after Senate bill 291.

And the resolution was adopted.

H. R. 192. Resolved, That Senate bill No. 113, to define vagrancy and to provide for the proof and punishment thereof, be made a special order after Senate bill No. 90, Saturday the 2nd of March.

And the resolution was adopted.

By Mr. John:

H. R. 194. Resolved, That for to-day the morning session of the House shall continue till five thirty o'clock p. m. and that the House recess from one thirty to three p. m.

And the resolution was adopted.

RESOLUTIONS.

The following resolutions were introduced and referred to the committee on Rules:

By Mr. John:

H. J. R. 195. Resolved by the Legislature of Alabama, that the joint committee raised to read the manuscript of the code, shall consider the legal status of the lands usually called "Swamp and Overflowed" lands which were granted by the act of the Alabama Legislature, approved Oct. 10, 1903, to the trustees of the "Alabama Insane Hospitals" and to consider and ascertain what lands "were sold prior to the passage of the act ap-

proved February 12, 1879, and the sales of which were confirmed by the said act."

Also whether there were two acts approved on the same day, towit: February 12, 1879, and if so which of these is referred to in the act approved Oct. 10, 1903, and whether there is any conflict in the provisions of the two acts, or any part of either act violates any provision of the constitution of Alabama.

The joint committee will also, consider, and report what legislation, if any, is needed to protect the rights of the State, and of the "Alabama Insane Hospitals" in and to the "Swamp and Overflowed" lands remaining unsold, and that will facilitate the equitable adjustment of claims of title to any of these lands which are claimed were sold by the State before the act of Oct. 10, 1903, and whether the officers or agents of the "A. I. Hospitals" have "interfered with, or disturbed the title and possession of the purchaser," or owner of any such swamp and overflowed lands" to "which they had a fairly just, or equitable claim."

The joint committee will report their finding and opinion, together with any bill or bills which they deem necessary or proper, to the legislature upon its reconvening on July 9, 1907.

By Mr. Sherrod:

H. R. 196. Resolved that House bill No. 41, a bill to be entitled an act to regulate the employment of telegraphers and the establishment of a board of telegraph examiners, be and the same is hereby made a special, par amount continuing order for Monday the fourth day of March, 1907.

By Mr. John:

H. R. 197. Resolved, That S. bill 292, To authorize the chief justice and the associate justices of the supreme court to appoint two secretaries for the supreme court, and to fix their compensation and make appropriation therefor, and,

S. 293. To fix the salary of the marshal and librarian of the supreme court and to make appropriation

therefor, be made special continuing, and paramount orders for March 2, immediately after the approval of the Journal.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in H. R. 174, relative to the return to the House of House bill No. 189 heretofore sent to the Senate without engrossment, and in compliance therewith the Senate herewith returns to the House said House bill No. 189.

J. A. Kyle, Secretary.

SENATE MESSAGE.

Mr. John moved that the vote by which the bill H. 189, which was returned by the Senate to the House at the request of the House, was passed by the House be reconsidered and the motion to reconsider the vote was lost.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed:

S. 187. To make an appropriation for the marking and caring for the graves of the confederate soldiers in the State of Ohio.

And ordered same sent to the House forthwith without engrossment, and the same is herewith sent.

J. A. Kyle, Chairman.

SENATE MESSAGE.

The bill the title to which is set out in the above and foregoing message from the Senate was read one time and referred to an appropriate standing committee as follows:

Appropriations, S. 187.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has originated and passed ;

S. 314. To provide for the taking of the census of the school children in the State of Alabama, and to provide punishment for the making of false enumerations.

And orders same sent forthwith to the House without engrossment.

And has amended as therein shown and as amended has passed.

H. 449. To change and define the boundary line of Bibb county, Alabama, between said county and the counties of Shelby and Jefferson.

And returns the same herewith to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Senate bill S. 314, the title to which is set out in the above and foregoing message from the Senate was read one time and referred to an appropriate standing committee as follows

Education, S. 314.

On motion of Mr. Fuller the House concurred in the Senate amendment to the bill H. 449. Said Senate amendment being as follows :

Amendment to H. 449.

Amend said bill by striking out all of section one (1) of said bill from and including the first word of said section, "That", to and including the last word of said section, "Counties", and insert in lieu therefor the following words, "That the boundary line between Bibb county, Alabama, and the counties of Shelby and Jefferson be and the same is hereby changed, defined, fixed and established as follows: Begin at the northeast

corner of the southeast quarter of section twenty, township twenty-four, north, range twelve east, this said point of beginning being at the western boundary line of Chilton county, Alabama, and thence run west to the west line of said section twenty, thence run north to the southeast corner of section eighteen in said township and range. Thence run west to the southeast corner of section thirteen, township twenty-four, range eleven, east; thence north to the northeast corner of the southeast quarter of S. E. 1-4 of said section thirteen; thence west to the northwest corner of S. E. 1-4 of S. E. 1-4 of said section 13; thence north to northeast corner of N. W. 1-4 of S. E. 1-4 of said section thirteen (13); thence run west to the northwest corner of the southwest quarter of said section thirteen; thence run north to the northeast corner of the southeast quarter of section eleven, in said township twenty-four, range eleven, east; thence run west to the west boundary line of said section eleven; thence run north to the northeast corner of section three, in said township twenty-four, range eleven, east; thence run westerly along the line known as "Freeman's line" to the southeast corner of fractional section twenty-nine, township twenty-two, south, range four, west; thence run north to the northeast corner of section five, township twenty-two, south, range four, west; thence run west to the southeast corner of the southwest quarter of the southeast quarter of section thirty-two, township twenty-one, range four, west; thence run north to the northeast corner of the southwest quarter of the southeast quarter of said section thirty-two; thence run west to the east boundary line of section thirty-six, township twenty-one, range five, west; thence run north to the northeast corner of the southeast quarter of said section thirty-six; thence run west to the southwest corner of the southwest quarter of the northeast quarter of section thirty-five, township twenty-one, range five, west; thence run north to the southwest corner of the northeast quarter of the southeast quarter of section twenty-three, township twenty-one, range five, west; thence run east to southeast corner of

northeast quarter of southeast quarter of said section twenty-three; thence run north to northeast corner of southeast quarter of section fourteen, township twenty-one, range five, west; thence run west to southwest corner of southeast quarter of northeast quarter of said section fourteen; thence run north to township line between township twenty-one and township twenty, range five, west; and thence run west along said township line to the Tuscaloosa county line—that is, to the line between Tuscaloosa and Bibb counties where it crosses said township line.”

Yeas, 73; nays, 0.

Yeas:

Messrs:—

Alford	Henley	Price
Armstrong	Hoffman	Pugh
Arnold	Hughston	Rainer
Arrington	Killen	Rattray
Ballard (Autauga)	King	Rice
Ballard (Pike)	Lacy (Dallas)	Rowe
Baltzell	Lacy (Walker)	Sample
Barton	Lancaster	Sanders
Benners	Lee (Etowah)	Sanford
Bloch	Lindsey	Seale
Bulger	Long (Butler)	Sherrod
Cannon	Lovelady	Smith (Elmore)
Carmichael (Clay)	Lyons	Smith (Lee)
Carmichael (Colbert)	Mitchell	Smith (Etowah)
Coleman (Lowndes)	Moore	Smith (Franklin)
Coleman (Marshall)	McCrory	Steagall
Cooper	McDuffie	Thompson
Cranford	Parker	Turner
Crum	Pearson	Urquhart
Doyle (Clark)	Peete	Weaver
Elrod	Pitts (Dallas)	White (Lamar)
Fuller	Powell (Bullock)	White (Perry)
Glover	Powell (Covington)	Williams
Goodwyn	Power	Wolf
Haley	Pratt	

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following joint resolution:

Whereas, it has been charged in the public press of this State, and by many merchants, that there exists a combination or trust among and between the manufacturers of guano and fertilizer in this State, and; whereas, it is charged that said combination or trust does in violation of law fix the price of guano and fertilizer, and limit the quantity of the same offered for sale,

Whereas, it is further charged that the guano and fertilizer sold by said trust or combination of guano and fertilizer, manufacturers, contains a large per cent of cheap material that has no beneficial effect on the soil, and does not increase its productiveness; and; whereas, the farmers of Alabama have a great financial interest in the price of guano and fertilizer and in the purity of the same offered for sale, now therefore,

Be it resolved by the Senate and the House concurring, that a joint committee of both Houses, to investigate said charges. Be it further resolved, that said committee shall have the power to summons witnesses before it and compel their attendance by compulsory process, and administer oath, and shall have the power to require any person, firm or corporation engaged in the manufacture or sale of guano and fertilizer to produce his or its books before said committee.

Be it further resolved; that said committee shall have authority to sit during any recess of this Legislature, and shall make a general investigation of the sale of guano and fertilizer tags, and shall investigate who pays the tag tax, and whether or not there is any abuse of the law, requiring analysis of guano and fertilizer and tagging the same. Be it further resolved, that the attorney general shall assist the committee in making the investigation provided for in this resolution.

Be it further resolved, that said committee may employ a stenographer to take and transcribe all evidence

taken by it, and shall at the conclusion of its work report to the Legislature the testimony taken, with the conclusion and recommendations of said committee.

Be it further resolved, that said committee shall receive four dollars per day while in actual service and be paid mileage as members of the Legislature are paid, and are to be paid in the same way and manner, as the members of the Legislature are paid, and if they employ a stenographer, said stenographer shall be paid by the State.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Senate joint resolution No. 42 set out in the above and foregoing message from the Senate was read one time and referred to the standing committee on rules.

On motion of Mr. Coleman of Marshall, the standing committee on rules was instructed to report on said Senate resolution No. 42 not later than 3:30 this afternoon.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following bill:

S. 358. To provide for the extension of the corporate limits of cities and towns having four hundred inhabitants or more, and fixing the rights, powers, duties, liabilities and jurisdictions of the city or town over the territory brought into the corporate limits, and the rights of the inhabitants thereof, and to provide for the apportionment between the city or town and county of the road and bridge tax collected by the county on the property within the city, and the expenditure of the funds by the city.

And orders same sent forthwith to the House without engrossment.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The bill, S. 358, the title to which is set out in the foregoing message from the Senate was read one-time and referred to an appropriate standing committee, as Municipal Organization, S. 358.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed and concurred in the amendments proposed by the Governor to House bill No. 136. The title of which and the proposed amendment thereto is set out in the message from the governor.

Yeas, 22; nays, 0.

And the same is herewith returned to the House.

And has concurred in the House amendment to Senate bill No. 320.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted and concurred in the amendment proposed by the governor to House bill No. 167, the title of which and the amendment thereto, proposed by the governor is set out in the message from the governor.

Yeas, 23; nays, 0.

And the same is herewith returned to the House.

J. A. Kyle, Secretary.

BILLS ON SECOND READING.

Mr. Maner, chairman of the standing committee on Corporations, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 329. To grant to towns and cities which own and operate dispensaries the power to contract with the governing body of the county in which such town or city is

situated to give to such county fifty per cent of the net revenue of such dispensary for the purpose of paying interest upon, and providing a sinking fund for the redemption of, any bonds issued by such county for the purpose of constructing public roads in such county.

Mr. Jenkins, chairman of the standing committee on County and County Boundaries, reported that said committee in session has acted on the following bill and ordered same returned to the House with a favorable report, with a substitute:

H. 820. (With substitute). To allow the boards of revenue, or courts of county commissioners, of the various counties of Alabama, to purchase and direct the keeping of blood-hounds for their counties.

Mr. Pitts, of Dallas, chairman of the standing committee on Revision of Laws, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report.

H. 836. To amend an act, entitled an act to establish a separate school district, to be known as the Bethel school district, composed of a portion of Colbert, Lawrence and Franklin counties, Alabama, approved February 15th, 1899.

H. 859. To prohibit the sale, or carrying in stock, by pawnbrokers, of firearms, bowie knives, brass knucks, sling shots, or other deadly weapons, and to provide for the punishment thereof.

The above and foregoing bills were severally read a second time, and placed on the calendar.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Arrington, (with notice and proof) :

H. B. 869. To authorize the town of Enterprise in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.
Temperance.

Notice and proof H. 869.

NOTICE OF LEGISLATION.

Notice is hereby given that at the next session of the legislature of Alabama a bill will be introduced for enactment into a law, which law when passed will be in words and figures, substantially,

"An act, etc."

A bill to be entitled: An act to authorize the town of Enterprise in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof."

Section 1. Be it enacted by the Legislature of Alabama, that the town of Enterprise, in Coffee county, Ala., shall have authority to conduct and carry on in its corporate name, in its corporate capacity, and in the manner herein provided, the business of buying and selling spirituous, vinous, and malt liquors.

The place at which said business is carried on shall be called a dispensary. Said municipality shall invest in said business a sum of money not less than three hundred dollars and not more than twenty-five hundred dollars. The liquors bought and sold as herein provided, shall be of the purest and best quality.

Section 2. The office of dispenser, for said dispensary, is hereby created who shall be elected within three months after the approval of this act by board of commissioners hereinafter created. Said dispenser shall be a resident householder and freeholder of said municipality and possess the qualifications of an elector under the general laws. The first dispenser to be elected for said office shall hold said office for a period of one year from the time of his election, and the terms of his successors shall be two years. Each dispenser shall hold office until his successor is elected and qualified.

Section 3. That the affairs and business of said dispensary shall be managed, controlled and conducted by a board of three commissioners, they shall each be resident citizens, and householders and free holders of said municipality, and who shall possess the character and qualifications of electors under the general laws. That W. B. Fleming, W. B. Glenn, and Asa Holloway, be and they hereby constituted said board of commissioners, that the term of said W. B. Fleming shall expire on the 1st day of January 1908; the term of said W. B. Glenn shall expire on the 1st day of January 1909, and the terms of said Asa Holloway shall expire on the 1st day of January 1910, and the successors of said commissioners whose terms have so expired shall be elected by the board of mayor and councilmen of said municipality at their last regular meetings of each year, and each of said commissioners to be so elected shall hold office for a term of three years from the commencement of his term.

All vacancies occurring in said board of commissioners shall be filled by an election of the board of mayor and councilmen of said town at their next regular meeting after said vacancy shall occur, and such commissioner so elected shall perform the duties of commissioner for the unexpired portion of the term so filled. Said board of commissioners shall elect from their number at their first meeting in each year, a president, a secretary, and a treasurer for said board of commissioners and shall require good and sufficient bonds from such secretary and treasurer, and cause the said bond to be approved by the mayor and councilmen of the town of Enterprise and each of said commissioners before entering upon the duties of his office shall take and subscribe an oath that he will faithfully discharge all of the duties imposed upon him by this act.

Section 4. That the money invested by said municipality in said business shall be turned over to said board of commissioners, who shall execute a receipt for the same, and who shall use the same solely for the purpose of purchasing a stock for said dispensary.

Section 5. That the dispenser elected under the second section of this act shall besides having the qualifications prescribed therein be a man of moral character and sober habits, and he shall have charge and control of said dispensary under the supervisions of said commissioners. Said board may remove said dispenser, and it shall be their duty to do so, for the violation of any laws governing or applying to said dispensary, or any ordinance of said town of Enterprise regulating the same, not inconsistent with this act, or for any neglect of duty, and upon such removal said board shall fill the unexpired portion of his term by the election of another person as dispenser.

Said dispenser shall be required to take and subscribe an oath that he will faithfully and honestly discharge all duties required of him by this act, and he shall also be required to give bond with good and sufficient sureties, to be approved by said commissioners, in such sum as said board may determine, to be not less than one thousand dollars, conditioned to faithfully account for all goods and moneys that may come into his hands as such dispenser, and for the faithful performance of all duties required of him by this act, and by such rules and regulations as the said commissioner may adopt. said dispenser shall receive such salary as said commissioners may fix, not to exceed eight hundred dollars, and his compensation shall not be dependent upon the amount of sales.

Section 6. Said board of commissioners shall at all times keep a stock of spirituous, vinous, or malt liquors, wines, beer, ciders and other intoxicating liquors in such quantities as they may deem proper. They shall be sold only for cash in quantities not to exceed four gallons and not less than one half pint, and the dispenser shall turn over all moneys received by him on account of such rules to the secretary and treasurer of said board of commissioners at the end of each day, and take his receipt for the same.

Section 7. That all accounts due said dispenser for the maintenance and operation of the same shall be paid by the treasurer upon such demand being presented to

the secretary and treasurer, and approved by a majority of said commissioners. The purchase of all stock for said dispensary shall be made by said commissioners, a majority of whom shall be required to concur in such purchase. That all purchases shall be made for cash.

Section 8. That said board of commissioners shall make from time to time rules and regulations for the operation of said dispensary not in conflict with the provisions of this and the law of the State of Alabama, and said commissioners and dispenser shall at all times in the management and conduct of said dispensary conform to the laws of the State of Alabama regulating the sale of spirituous, vinous and malt liquors, and the said dispenser shall conform to all of the regulations, that said board of commissioners may enact for the control, management and conduct of said dispensary, which are not in conflict with the laws of this State.

Section 9. That no spirituous, vinous or malt liquors shall be drank in the building or on the premises where said dispensary is located.

Section 10. That said dispensary shall not be opened on any day before six o'clock and shall be closed on each day by six o'clock in the evening, and it shall not be opened on Sundays and election days, and on such other days as the commissioners or a majority of them shall direct the same to stand closed.

Section 11. That the dispenser shall not sell to any person or persons any spirituous, vinous or malt liquors, wines, ciders, beer, or other intoxicating liquors except in sealed packages and the said dispensary shall not keep any broken packages in said dispensary and whenever a package is broken it shall be at once bottled and sealed and sold by the dispenser in such sealed condition.

Section 12. That said dispenser shall make a monthly report to said board of commissioners showing the exact financial condition of said dispensary, and the said board of commissioners shall at any time when they see proper make an investigation of the correctness of

said report and check the balance of matters pertaining to said dispensary.

Section 13. That the dispenser shall not allow, and it is hereby made unlawful, for any person or persons to loiter in or about said dispensary or on the premises where the same is situated, and for failure to enforce this section said dispenser shall be removed from office.

Section 14. That the mayor and town council of the town of Enterprise shall have power and authority to pass all ordinances to carry out the provisions of this act, and to provide suitable penalties for the violations of this act.

Section 15. That the board of commissioners of said dispensary shall appropriate 20 per cent of the net profit of said dispensary to the public schools of the county of Coffee and said 20 per cent to be applied to the use and support of these schools embraced in the public school districts outside of those towns of Elba, Enterprise, and Brocton, and the same shall be applied to said schools in the same proportion as the public school funds derived. Said 20 per cent shall be paid to the persons entitled to receive the same as provided by law.

That the remainder of said net proceeds of said dispensary shall be paid into the treasury of said town and be and become a part of the general funds of said town of Enterprise.

That said sums shall be so appropriated and paid as aforesaid quarterly or four times a year.

Section 16. That said board of commissioners shall at the end of each quarter, and at the same time when they make said appropriations and pay said money as directed by the preceding section, make and file with the mayor and council of said municipality a full and complete report of all purchases, receipts, expenditures, disbursements proceeding three months, so that a fair account of the business of said dispensary for said time, and the present condition of the business may be shown thereby. Said report shall be published in a newspaper for at least one week upon the filing of the same.

Section 17. That the mayor and council are authorized and empowered to pass ordinances for the enforcement of the provisions of the last preceding section, with penalties for its violation.

Section 18. That the commissioners provided for in this act shall receive each a salary of \$25.00 per annum, and the secretary and treasurer shall be paid \$25.00 per annum additional. Said salaries to be paid out of the net proceeds of said dispensary.

Section 19. That on and after the passage of this act the city council of the town of Enterprise and other officers of said town are hereby prohibited from issuing, granting or renewing any license for the sale of spirituous, vinous, or malt liquors within the corporate limits of said town.

Section 20. That for any breach of either of the bonds to be executed under the provisions of this act suit may be instituted thereon in the name of the town of Enterprise for the use of said town and the persons entitled to receive that portion of the net proceeds to be used for school purposes, and the recovery therein shall be paid according to the interests of said town and persons therein.

Section 21. That the commissioners or either of them may be impeached by the mayor and council, upon at least five days' notice, with specifications in writing of the charges preferred, for any malfeasance, willful misconduct or neglect of duty, or for the violation of any law or ordinance regulating or pertaining to said dispensary, but the right of appeal shall be had in favor of either of the parties to the circuit court to be taken as provided for appeals from the justice courts in civil cases.

Section 22. That no spirituous, vinous, and malt liquors, wines, ciders, beers or other intoxicating drinks of any kind shall be sold within the incorporate limits of said town except as herein provided.

Section 23. That all laws and parts of laws in conflict with this act or any part hereof be and the same are hereby repealed.

The State of Alabama, }
 County of Coffee. }

Before me, T. D. L. Edmonds, a notary public in and for said State and county, personally appeared G. W. Carlisle, known to me to be the editor and proprietor of the People's Ledger, a newspaper published at Enterprise, Coffee county, Alabama, who, being by me first duly sworn, doth state on oath, that he is the editor and the publisher of said paper; that the same is and has been published and issued regularly in weekly editions in said county for more than twelve months last past, and that the notice hereto attached and marked "Exhibit A" relating to the establishment of a dispensary at Enterprise, Alabama, was published without cost to the State, for four consecutive weeks in said newspaper, and in said county, next before the making of this affidavit.

G. W. Carlisle.

Sworn to and subscribed before me this 18th day of February, 1907.

T. D. L. Edmonds,
 Notary Public.

By Mr. Arrington, (with notice and proof) :

H. 870. To repeal an act entitled "An act to establish the county court of Coffee for Coffee county with criminal jurisdiction in misdemeanor cases," approved February 8th, 1901, and all subsequent and amendatory acts relating to said court, and to transfer all the civil and criminal proceedings therein pending together with all the dockets, papers and books relating to said cases in said county court of Coffee to the circuit court of Coffee county, Alabama.

Local Legislation.

Notice and Proof. H. 870.

NOTICE.

Notice is hereby given that a bill will be introduced and its passage applied for, in the Legislature of Alabama at the session beginning January 8, 1907.

1. To repeal "An act to amend an act entitled 'An act to establish the county court of Coffee county with criminal jurisdiction in misdemeanor cases, approved February 8, 1901. Said act as amended to make said court and inferior court of record with civil jurisdiction as well as criminal, as follows: Said court to have jurisdiction in all civil matters concurrently with justices of the peace, and also with the circuit court wherein the subject matter does not exceed \$500.00 except in civil actions of libel, slander, assault and battery, and ejectment or statutory actions in the nature of ejectment; also providing for the trials by said court of all appeals from justice of the peace courts of said county in civil actions; regulating the powers and authority of the judge of said court and making the same commensurate with the judge of the circuit court with respect to remedial writs, and vesting jurisdiction in the judge of said court with respect to the trial habeas corpus cases in said county commensurate with judges of probate; regulating the practice and procedure of said court and prescribing the qualifications of the judge and solicitor and providing their salaries, and mode and means of payment, providing for jury terms and regulating the juries thereof and selection; restoring to justices of the peace original jurisdiction of the misdemeanor cases provided for trial for them under the Code, providing for appeals in such cases to said county court of Coffee; and further regulating said courts and trials therein," approved September 29, 1903.

2. To repeal "An act entitled an act to establish the county court of Coffee for Coffee county with criminal jurisdiction in misdemeanor cases," approved February 8, 1901.

3. ~~To provide for~~ the transfer of all actions and proceedings at law and all indictments and criminal proceedings in the county court of Coffee at the time of the repeal of the acts establishing the county court of Coffee county and to invest said circuit court with the power, jurisdiction and authority to try and dispose of such cases.

4. To provide that all process of any kind which has issued from and made returnable to said county court of Coffee shall be returned to and shall be considered, regarded as returnable to the circuit court of Coffee county, and all recognizances take by or recognizable by the said county court of Coffee shall be taken and construed and shall be enforced by the circuit court of Coffee county.

The State of Alabama, }
County of Coffee. }

Before me, T. D. L. Edwards, a notary public in and for said county, personally appeared G. W. Carlisle, known to me to be editor and publisher of the People's Ledger, a newspaper published at Enterprise, in the county of Coffee, State of Alabama, who being by me first duly sworn doth state on oath, that he is the editor and publisher of said newspaper, that the same has been for more than twelve months last past, published and issued regularly in weekly editions in said county, and that the notice hereto attached marked "Exhibit A" relating to the repeal of the acts creating the county court of Coffee county, was published, without cost to the State, once a week for four consecutive weeks in said newspaper, and in said county, next before the making of this affidavit.

G. W. Carlisle.

Sworn to and subscribed before me this 18th day of February, 1907.

T. D. L. Edwards,
Notary Public.

By Mr. Smith, of Lee, (with notice and proof) (by request):

H. 871. To fix the salary of the county treasurer of Lee county, Ala.

Claims and Fees.

Notice and Proof. H. 871.

The State of Alabama, }
Lee County. }

Before me, J. O. Warren, a notary public in and for said county and State, personally appeared H. M. Wil-

son, one of the proprietors of the Opelika Daily News, a newspaper published in Opelika, Lee county, Alabama, who, being duly sworn, deposes and says that the attached notice appeared in said Opelika Daily News for four consecutive weeks prior to the making of this affidavit.

H. M. Wilson.

Sworn to and subscribed before me, this 27th day of February, 1907.

J. O. Warren,
Notary Public.

NOTICE.

To whom it may concern :

Notice is hereby given that at the next session of the Legislature of Alabama a bill will be introduced providing for the fixing of the compensation of the county treasurer of Lee county, at 5 per cent on the money paid out by him, not to exceed the aggregate of \$1,000.00 in any one year.

Thos. J. Stevens.

SPECIAL ORDER.

The hour having arrived the House proceeded to the consideration of the special order, which was the bill, S. 17.

And the bill :

S. 17. To provide the manner in which any person, company or corporation owning or operating as a common carrier any railroad in whole or in part in this State may contest the validity, or reasonableness and fairness of any maximum rate established by statute to be charged by railroads for the transportation, originating and terminating within the State, of articles, and have the same annulled or the enforcement thereof enjoined or restrained.

Was read a third time, at length, and passed.

Yeas, 63; nays, 1.

Yeas:

Messrs:—

Armstrong	Johnson	Price
Arnold	Killen	Pugh
Ballard (Autauga)	King	Ragsdale
Barton	Lacy (Walker)	Rainer
Benners	Lancaster	Rice
Bloch	Lawson	Rowe
Cannon	Long (Butler)	Rushton
Carmichael (Clay)	Long (Morgan)	Sanders
Carmichael (Colbert)	Lovelady	Sanford
Coleman (Lowndes)	Lyons	Seale
Coleman (Marshall)	Maner	Sherrod
Cooper	Mitchell	Smith (Lee)
Cranford	Moore	Smith (Franklin)
Crum	McDuffie	Steagall
Doyle (Clark)	McMillan	Thompson
Edwards	Oliver	Turner
Elrod	Pearson	Urquhart
Glover	Pitts (Dallas)	Vann
Goodwyn	Powell (Bullock)	White (Lamar)
Hughston	Powell (Covington)	White (Perry)
John	Power	Williams

—63.

Nays:

Mr. Parker

—1.

SPECIAL ORDER.

The hour having arrived the House proceeded to the consideration of the special order, which was the bill, S. 219:

And the bill:

S. 219. To provide for the revocation of the license or right to engage in or carry on the business of the transportation, originating and terminating in this State, of freight or passengers, of any foreign corporation which is now engaged, or which may hereafter engage in such business, or the business of common carrier in this State, in the event such corporation shall for any of the purposes specified in this act, institute in

any federal court any suit or proceeding or shall remove or cause to be removed to any federal court any suit or proceeding instituted in any State court for any of the purposes specified in this act.

Was read a third time at length, and passed.

Yeas, 69; nays, 7.

Yeas:

Messrs:—

Alford
Armstrong

Arnold
Ballard (Antauga)
Ballard (Pike)

Baltzell
Barton

Benners
Bulger

Cannon
Carmichael (Clay)
Carmichael (Colbert)

Coleman (Lowndes)
Coleman (Marshall)

Cooper
Cranford

Crum
Edwards

Elrod
Fuller

Glover
Haley

Henley

Hoffman
Hughston
John

Johnson
Killen

King
Kirby
Lacy (Walker)

Lancaster
Lawson

Lee (Etowah)
Lindsey
Long (Butler)

Long (Morgan)
Lovelady

Maner
Middleton

Mitchell
Moore

McCrary
McMillan

Norville
Oliver

Pearson

Pitts (Perry)
Powell (Bullock)
Powell (Covington)

Power
Price

Rainer
Rattray

Rice
Rowe

Rushton
Sanders

Sanford
Sherrod

Smith (Elmore)
Smith (Lee)

Smith (Etowah)
Smith (Franklin)

Steagall
Turner

Weaver
White (Lamar)

Williams

—69.

Nays:

Messrs:—

Gunter
Lee (Houston)
McDuffie

Pitts (Dallas)
Seale

Tunstall
Woolf

—7.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills having examined the following House bills beg leave to report the same correctly enrolled:

H. 24. To make appropriations for the support and maintenance of the public schools of the State.

H. 108. To amend an act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizer, acid phosphate, fertilizer materials, and chemicals, in the State of Alabama, approved March 3rd, 1903.

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker pro tempore of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which is set out in the above and foregoing report from the standing committee on Enrolled Bills.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill, S. 86.

And the bill:

S. 86. To further regulate the doing of business in the State of Alabama by foreign or non-resident corporations or corporations organized under or by authority of the law of any other State or government than the State of Alabama, and to fix a punishment for a violation thereof.

And the bill was read a third time, at length, and passed.

Yeas, 63; nays, 4.

Yeas:**Messrs:—**

Alford	Gunter	Pearson
Armstrong	Henley	Pitts (Perry)
Arnold	John	Powell (Bullock)
Arrington	Johnson	Pcwer
Ballard (Autauga)	Killen	Pratt
Ballard (Pike)	King	Ragsdale
Barton	Kirby	Rainer
Benners	Lacy (Walker)	Rattray
Bloch	Lancaster	Rice
Bulger	Lawson	Rowe
Cannon	Lee (Houston)	Rushton
Carmichael (Colbert)	Lindsey	Sanford
Coleman (Lowndes)	Long (Butler)	Sherrod
Coleman (Marshall)	Long (Morgan)	Smith (Lee)
Cooper	Lovelady	Smith (Franklin)
Cranford	Lyons	Stcagall
Crum	Mitchell	Turner
Edwards	Moore	Urquhart
Elrod	McCroy	Weaver
Fuller	McMillan	White (Lamar)
Glover	Norville	Williams

—63.

Nays:**Messrs:—**

Parker	Seale	Tunstall
Pitts (Dallas)		

—4.

Mr. Lovelady asked unanimous consent to call up a certain bill. Consent was granted and the bill:

S. 346. To amend an act to amend an act to amend section 4457 of the Code of 1896, approved March 5, 1901.

Was read a third time, at length, and passed.

Yeas, 54; nays, 4.

Yeas:**Messrs:—**

Armstrong	Ballard (Pike)	Bloch
Arnold	Barton	Bulger
Ballard (Autauga)	Benners	Carmichael (Clay)

Carmichael (Colbert)	Lyons	Rice
Cooper	Middleton	Rowe
Cranford	Mitchell	Rushton
Edwards	Moore	Sanders
Glover	McCrory	Sanford
Gunter	McMillan	Sherrod
Haley	Norville	Smith (Elmore)
Henley	Parker	Smith (Lee)
Hoffman	Pearson	Smith (Franklin)
John	Pitts (Dallas)	Steagall
Johnston	Pitts (Perry)	Urquhart
King	Powell (Bullock)	Weaver
Lawson	Pratt	White (Perry)
Lee (Etowah)	Ragsdale	Williams
Lovelady	Rainer	Woolf

—54.

Nays:

Messrs:—

Cannon

Killen

White (Lamar)

Crum

—4.

BILLS ON THIRD READING.

S. 320. To amend section 17 of an act entitled an act to provide for the holding the elections on the question of changing of county seats, and in the event of a majority of qualified electors of the county voting at such election shall vote in favor of changing or locating county seats to provide for changing or locating county seats under the erection of necessary county buildings and to provide for the necessary county officers.

Was taken up. The question was upon the adoption of the amendment offered by the standing committee on Privileges and Elections, which is as follows:

Amend Senate bill 320 by adding in the caption after the words "to amend section 17 of an act" the following: Approved March 3, 1903," and adding in section 1, line two, after the words "An act" the following: "Approved March 3, 1903." Also amend by adding section 2.: Be it further enacted, That this act shall take effect immediately upon its passage."

And the amendment was adopted.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Alford	Gunter	McCrory
Armstrong	Haley	McMillan
Arnold	Henley	Parker
Arrington	Hoffman	Pearson
Ballard (Autauga)	Hughston	Pitts (Dallas)
Ballard (Pike)	John	Pitts (Perry)
Baltzell	Johnson	Power
Barton	Killen	Pratt
Benners	King	Pugh
Benson	Lacy (Walker)	Ragsdale
Bloch	Lancaster	Rattray
Bulger	Lawson	Rice
Carmichael (Clay)	Lee (Etowah)	Rowe
Carmichael (Colbert)	Lee (Houston)	Rushton
Cooper	Lindsey	Sherrod
Cranford	Long (Butler)	Smith (Lee)
Crum	Long (Morgan)	Smith (Franklin)
Edwards	Lovelady	Turner
Elrod	Middleton	White (Lamar)
Fuller	Mitchell	Williams
Glover	Moore	

—62.

And the bill:

S. 320. To amend section 17 of an act entitled an act to provide for the holding the elections on the question of changing of county seats, and in the event of a majority of qualified electors of the county voting at such election shall vote in favor of changing or locating county seats to provide for changing or locating county seats under the erection of necessary county buildings and to provide for the necessary county officers.

As amended was read a third time, at length, and passed.

Yeas, 59; nays, 1.

Yeas:

Messrs:—

Alford	Ballard (Autauga)	Barton
Armstrong	Ballard (Pike)	Benners
Arnold	Baltzell	Bloch

Cannon	Kirby	Pitts (Perry)
Carmichael (Colbert)	Lacy (Walker)	Powell (Bullock)
Coleman (Lowndes)	Lawson	Power
Coleman (Marshall)	Lee (Etowah)	Pratt
Cooper	Lee (Houston)	Ragsdale
Crum	Lindsey	Rattray
Dudley	Long (Butler)	Rice
Edwards	Lovelady	Rowe
Elrod	Middleton	Rushton
Fuller	Mitchell	Sanford
Glover	Moore	Seale
Haley	McCrary	Smith (Elmore)
Henley	McDuffie	Urquhart
Hoffman	McMillan	Weaver
Jenkins	Norville	White (Perry)
John	Peete	Wolf
Johnston	Pitts (Dallas)	

—59.

Nays:

Mr. Sherrod

—1.

H. 767. To amend section 7, of an act approved October 1, 1903, to amend an act to establish the Tuscaloosa county law and equity court, so as to fix the salary of the judge of said court at twenty-seven hundred dollars per annum payable monthly.

Was read a third time, at length, and passed.

Yeas, 57; nays, 2.

Yeas:

Messrs:—

Armstrong	Crum	Lawson
Arnold	Edwards	Lee (Houston)
Barton	Glover	Lindsey
Benners	Gunter	Long (Butler)
Bulger	Haley	Long (Morgan)
Carmichael (Clay)	Henley	Lyons
Carmichael (Colbert)	Hoffman	Middleton
Coleman (Lowndes)	John	Moore
Coleman (Marshall)	Johnson	McDuffie
Cooper	Kirby	McMillan
Cranford	Lancaster	Norville

Parker	Rice	Smith (Lee)
Pearson	Rowe	Smith (Franklin)
Pitts (Dallas)	Rushton	Steagall
Powell (Bullock)	Sanders	Turner
Power	Sanford	Urquhart
Ragsdale	Seale	Weaver
Rainer	Sherrod	White (Perry)
Rattray	Smith (Elmore)	Williams

—57.

Nays:

Messrs:—

Cannon

Killen

—2.

PAIR ANNOUNCED.

Mr. Mitchell announced that he was paired with Mr. Baltzell. If he were present he would vote no and Mr. Mitchell would vote aye.

On motion of Mr. Rice the bill, H. 767, was ordered sent to the Senate without engrossment.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House joint resolution No. 193, relative to raising a joint committee of the two Houses consisting of five, three from the House and two from the Senate, to examine and compare House bill 58 and Senate bills 122 and 123.

And the President has appointed as committee on the part of the Senate Messrs. Reese and Jones.

And said resolution is herewith returned to the House.

J. A. Kyle,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended as therein shown, and as amended has passed:

H. 333. To make an appropriation for the expenses of encampment of the Alabama National Guard for the years 1907, 1908, 1909, 1910.

And has passed:

H. 717. To require the sheriff of Hale county to procure from the office of the United States internal revenue collector for the State of Alabama, a list of the persons, firms or corporations in Hale county to whom a license has been issued for the sale of spirituous, vinous or malt liquors, and to publish same in some newspaper published in said county.

H. 726. To fix the salary of the judge of the city court of Montgomery.

H. 66. To regulate the sale of corn meal.

H. 748. To prohibit the sale, barter, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters or beverages, in Franklin county, Alabama.

H. 278. To rearrange the boundaries of the town of Oxford in Calhoun county, Alabama.

H. 727. To provide for the appointment of an official stenographer for the city court of Montgomery, to prescribe his duties and to fix his compensation.

H. 96. To provide for the payment of certain fine and forfeiture funds in the hands of the clerk of the circuit court of Cullman county, Alabama.

And returns same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Ragsdale, the House nonconcurrent in the Senate amendment to the bill, H. 333, said Senate amendment being as follows:

Substitute for H. B. 333.

A BILL

To be entitled an act to make appropriations for the expenses of encampment, maneuvers and target prac-

tice of the Alabama National Guard for the years 1907, 1908, 1909, and 1910.

Section 1. Be it enacted by the Legislature of Alabama, That the sum of twenty-five thousand dollars for the fiscal year ending September 30th, 1907; and the sum of twenty-five thousand dollars for the fiscal year ending September 30th, 1908, and the sum of twenty-five thousand dollars for the fiscal year ending September 30th, 1909 and the sum of twenty-five thousand dollars for the fiscal year ending September 30th, 1910; or so much thereof as the governor, in his discretion may deem advisable or necessary, be and the same is hereby appropriated out of any moneys in the treasury not otherwise appropriated for the purpose of paying the expenses and cost of such encampment, maneuvers and such target practice at such places as the governor may determine, of the Alabama National Guard, as may be ordered during these years for the purpose of instruction and discipline, including in such expenses the transportation of officers and men to and from such camp or maneuvers and to and from target practice, as determined by the governor, if the target practice is not held contemporaneously with the encampment; the preparation and procurement and maintenance of target ranges and other expenses connected therewith, which the governor may deem legitimate and necessary.

Section 2. Be it further enacted, That the governor may if he deem expedient, use the sum of five thousand dollars of the amount herein appropriated or so much thereof as he may deem necessary, in the purchase, lease or acquirement of a site or sites for a target range, or target ranges, the number and location thereof to be determined by him, and for the proper equipment and conduct of the same, and may require the National Guard to attend target practice at such time and under such regulations as he may prescribe.

Section 3. Be it further enacted, That the governor shall make rules and regulations governing the disbursements of money under the provisions of this act, and all expenses authorized to be contracted by him

shall be certified and verified by affidavit, and not paid to such officer or officers as the governor may direct.

On motion of Mr. Lyons, a committee of conference was appointed on the disagreement of the two Houses in the Senate amendment to the bill, H. 333.

Committee on part of the House: Messrs. Lyons, Lacy of Morgan, and Woolf.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended as therein shown, and as amended has passed:

H. 372. To authorize cities, towns, and other municipal corporations to make certain local repairs or improvements on the streets, avenues, alleys, highways, or other public places of such city, towns, or other municipal corporation, to construct sewers; to assess the cost of such improvements, or any part thereof, upon the property abutting such street, avenue, alley, highway, or other public place, or drained by such sewers, or against the right of way of any railroad so improved or drained by such sewers; to make such assessments a lien on such property, and to regulate appeals from such assessments; to provide methods for the enforcement of such lien, and the payment of such assessment and penalties and to authorize the issue of bonds to pay for such improvements.

And returns same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Pitts, of Dallas, the House concurred in the Senate amendment to the bill, H. 372, said Senate amendment being as follows:

Amend House bill 372 as follows: By striking out at the end of section 4 the following words: "And a copy thereof must be served on every owner of property to be affected or upon his agent."

Yeas, 60; nays, 7.

Yeas:

Messrs:—

Alford	Johnson	Pitts (Dallas)
Arnold	Killen	Pitts (Perry)
Ballard (Autauga)	King	Powell (Bullock)
Barton	Kirby	Power
Benners	Lacy (Dallas)	Pratt
Cannon	Lancaster	Price
Carmichael (Clay)	Lawson	Pugh
Carmichael (Colbert)	Lee (Etowah)	Rainer
Coleman (Lowndes)	Lindsey	Rice
Coleman (Marshall)	Long (Butler)	Rushton
Cooper	Long (Morgan)	Sanford
Cranford	Lovelady	Smith (Elmore)
Edwards	Lyons	Smith (Lee)
Goodwyn	Middleton	Smith (Franklin)
Gunter	Mitchell	Tunstall
Haley	McDuffie	Urquhart
Henley	McMillan	Vann
Hoffman	Norville	Weaver
Hughston	Parker	Williams
Jenkins	Pearson	Woolf

—60.

Nays:

Messrs:—

Glover	Ragsdale	Sample
John	Rowe	Sherrod
Lacy (Walker)		

—7.

RECESS.

The hour of 1:30 having arrived the House recessed until 3 o'clock this afternoon.

AFTERNOON SESSION.

The hour of 3 o'clock having arrived the House reconvened.

MEMORIAL.

The Sepaker pro tempore of the House presented to the House, a memorial from Messrs. Joseph W. Plime,

Franklin J. Sawyer, and Chas. T. Horbeck, relative to an act passed by the Legislature of Alabama, in March, 1870, entitled "An act to loan the credit of the State of Alabama, to the Montgomery and Eufaula Railroad Company for the purpose of expediting the construction of its railroad within said State."

And on motion of Mr. John, the memorial was referred to the standing committee on Rules.

BILLS ON THIRD READING.

S. 310. Conferring on railroads operating in the State of Alabama, the right to acquire lands for depots, freight yards and team tracks by condemnation proceedings, in the mode prescribed by law, after application for permission to bring such condemnation proceedings has first been submitted to and approved by the railroad commission of Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 5.

Yeas:

Messrs:—

Armstrong	Killen	Price
Ballard (Autauga)	Kirby	Pugh
Baltzell	Lacy (Dallas)	Rainer
Barton	Lawson	Rattray
Benners	Lee (Houston)	Rice
Bloch	Lindsey	Rowe
Carmichael (Clay)	Long (Butler)	Sample
Carmichael (Colbert)	Long (Morgan)	Seale
Coleman (Lowndes)	Lovelsdy	Sherrod
Coleman (Marshall)	Lyons	Smith (Elmore)
Cooper	Middleton	Smith (Lee)
Crum	Mitchell	Smith (Franklin)
Edwards	Moore	Thompson
Elrod	McMillan	Tunstall
Glover	Pearson	Turner
Goodwyn	Pitts (Dallas)	Vann
Haley	Pitts (Perry)	Weaver
Henley	Powell (Bullock)	White (Lamar)
Hoffman	Power	Woolf
Johnson		

Nays:

Messrs:—

Cannon
John

Lacy (Walker)
Smith (Etowah)

White (Perry)

—5.

H. 805. To amend section one (1) and two (2) of an act entitled "An act to confer additional rights and powers including the right to acquire by purchase, or by condemnation lands and easements, upon corporations organized under the general laws or heretofore under a special act of the General Assembly of the State of Alabama, and upon corporations organized under the laws of any other State of the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture, supply and sell power, produced by water as a motive force," approved October 1st, 1903; and to add thereto sections eight and a half (8 1-2) and nine and a half (9 1-2).

Was taken up. Mr. Carmichael of Colbert offered the following substitute for the bill, H. 805:

A BILL

To be entitled an act, to amend sections one (1) and two (2) of an act entitled "An act to confer additional rights and powers, including the right to acquire by purchase, or by condemnation, lands and easements, upon corporations organized under the general laws, or heretofore under a special act of the General Assembly of the State of Alabama, and upon corporations organized under the laws of any other State of the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations, and which have the right by their charter to manufacture, supply and sell power produced by water as a motive force," approved October 1, 1903; and to add sections 8 1-2 and 9 1-2 to said act defining the duties of such corporations to the public.

Section 1. Be it enacted by the Legislature of Alabama, That section 1 of an act entitled "An act to confer additional rights and powers, including the right to acquire by purchase or by condemnation, lands and easements, upon corporations organized under the general laws or heretofore under a special act of the General Assembly of the State of Alabama, and upon corporations organized under the laws of any other State of the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture, supply and sell power produced by water as a motive force," approved October 1, 1903, be amended so as to read as follows:

Section 1. That all corporations organized under the general laws of this State or heretofore under a special act of the Legislature of this State, and all corporations organized under the laws of any other of the United States, and which have complied with the constitution and laws of the State of Alabama, as to foreign corporations, and which by their charter have the right to manufacture, supply and sell to the public, power produced by water as a motive force, shall, after acquiring by purchase or otherwise than by condemnation a dam or power site comprising not less than one acre of land upon each and opposite sides of any water course, have the right and authority to acquire by condemnation in the manner provided by law for the condemnation of lands and rights of way for public use in article 1, chapter 42 of the Code, the lands necessary for the construction and operation of said dam, and works therewith, and the right and authority to construct and operate at said site and across said stream a dam, together with all works incident or necessary thereto, and the right and authority to impound or divert water of any water course or water courses of this State, and the right and authority to raise higher such dam and to enlarge the works necessary or incident thereto, as may be required or deemed expedient by said corporation, in the manufacture and supply of power produced by water as a motive force.

Section II. That section 2 of said act be amended so as to read as follows:

Section II. That corporations such as are mentioned in section I hereof shall have the right and authority to acquire by purchase, if said corporation and the owners agree, and if said corporation and said owners cannot agree as to said purchase, then by condemnation in the manner provided by law for the condemnation of lands and rights of way for public use in article one 1, chapter 42 of the Code of 1896, which method of condemnation shall be cumulative, all lands or waters or interests or rights or easements in lands or waters, likely or liable to be flooded or damaged by impounding or diverting the water of any water course of this State, and its tributaries, or necessary for the construction of dams and power houses, or works necessary or incident thereto, or likely or liable to be flooded or damaged by the construction and operation and enlargement of the dams and works incident or necessary thereto, or damaged or taken in the construction, operation or use of all canals, tail-races or exit ways necessary, useful or convenient for the escape, conveyance or return of the water used in the operation of the works or power plant; provided, such corporation shall have no right to condemn a private residence nor the out-house, garden nor orchard within the curtilage of a private residence, for rights of way for its transmission line or lines; and provided, such corporation shall have no right to condemn lands or water rights in use or held for such use by another corporation having similar powers, except where such lands or water rights have been acquired subsequently to those already held by the condemning party upon the same river or stream, and where the lands or rights acquired by such other corporation prior to the holdings of the condemning party in themselves and taken alone cannot be made the reasonable basis of a water power development, or where and to the extent that such water rights cannot be utilized beyond the average natural flow of the stream as determined by the records of previous years except by virtue of the works or constructions of the condemning party; and provided, such cor-

porations shall have no right to condemn water rights or water in actual and prior use by any cotton mill or factory. Provided this restriction does not apply to waters in actual use or capable of being used by the said cotton manufactory for the use of its plants already established as the same may be available to it by the actual flow of the stream or by its facilities for increasing the same; but such corporation may by condemnation acquire the right to flood grist mills and industries in conjunction therewith together with lands and water rights appertaining thereto, but must pay to the owner thereof before such flooding such reasonable and just compensation as may be awarded in the manner provided by law for the condemnation of lands and rights of way for public use in article one (1) of chapter 42 of the Code of 1896.

Section III. That said act be amended by adding thereto after section 8, the following:

Section 8 1-2. That any dam erected in accordance with the provisions of this statute, shall be considered a dam authorized by the Legislature of this State at the particular site selected and of the specific height and dimensions determined upon.

Section IV. That said act be amended by adding thereto after section 9, the following:

Section 9 1-2. Be it further enacted, that any corporation manufacturing, selling and supplying power, heat, light or electricity produced by water as a motive force under the provisions of this statute, must sell such power, heat, light, or electricity to any person or persons municipal or other corporation in the order in which requests or demands are made for such light, heat, power or electricity. Nothing herein, however, shall be construed to require any such corporation to furnish light, heat, power or electricity to any person or persons, corporation or corporations until satisfied of his or its financial responsibility, or until adequate security has been given for the performance of any contract to be entered into.

And the substitute was adopted.

Yeas, 64; nays, 5.

Yeas:**Messrs:—**

Armstrong

Arnold

Ballard (Autauga)

Barton

Benners

Bloch

Carmichael (Clay)

Carmichael (Colbert)

Coleman (Lowndes)

Coleman (Marshall)

Cooper

Crum

Edwards

Fuller

Glover

Goodwyn

Gunter

Henley

Hoffman

John

Johnson

Killen

Kirby

Lacy (Dallas)

Lacy (Walker)

Lawson

Lee (Etowah)

Lee (Houston)

Lindsey

Long (Morgan)

Lovelady

Malone

Mitchell

Moore

McMillan

Norville

Parker

Pearson

Pitts (Dallas)

Pitts (Perry)

Powell (Bullock)

Power

Pratt

Pugh

Ragsdale

Rainer

Rattray

Rice

Rowe

Rushton

Sample

Sanders

Smith (Elmore)

Smith (Lee)

Smith (Franklin)

Steagall

Thompson

Tunstall

Turner

Urquhart

Weaver

White (Lamar)

White (Perry)

Woolf

—5.

Nays:**Messrs:—**

Cannon

Sherrod

Haley

Smith (Etowah)

King

—5.

And the bill:

H. 805. To amend sections one (1) and two (2) of an act entitled "an act to confer additional rights and powers including the right to acquire by purchase, or by condemnation lands and easements, upon corporations organized under the general laws or heretofore under a special act of the general assembly of the State of Alabama, and upon corporations organized under the laws of any other State of the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture, supply and sell power produced by water as a motive force," approved

October 1st, 1903; and to add thereto sections eight and a half (8 1-2) and nine and a half (9 1-2.)

As amended by the substitute.

Was read a third time, at length and passed.

Yeas, 58; nays, 5.

Yeas:

Messrs:—

Armstrong	Hughston	Power
Arnold	John	Pratt
Ballard (Autauga)	Johnson	Price
Baltzell	Killen	Pugh
Barton	Lacy (Dallas)	Rainer
Benners	Lacy (Walker)	Rattray
Carmichael (Clay)	Lancaster	Rowe
Carmichael (Colbert)	Lawson	Rushton
Coleman (Lowndes)	Lee (Houston)	Sample
Coleman (Marshall)	Lindsey	Sanders
Cooper	Long (Morgan)	Seale
Cranford	Mitchell	Smith (Elmore)
Crum	Moore	Smith (Lee)
Edwards	McMillan	Smith (Franklin)
Fuller	Norville	Turner
Glover	Parker	Urquhart
Goodwyn	Pitts (Dallas)	Weaver
Gunter	Pitts (Perry)	White (Lamar)
Henley	Powell (Bullock)	Woolf
Hoffman		

—58.

Nays:

Messrs:—

Cannon	King	Smith (Etowah)
Haley	Sherrod	

On motion of Mr. Carmichael, of Colbert, the bill H. 805 was sent to the Senate without engrossment.

H. 845. To grant to any person, firm or corporation acquiring necessary lands on both sides of a navigable river, and organized for the purpose of developing water

power and electrically transforming and distributing the same, for the use of the public, to construct dams and locks in navigable rivers for the development of water power. To grant perpetual and exclusive easements for power purposes to and in the waters and beds of said rivers and to exempt the property of such person, firm or corporation used for the development and transmission of such power from taxation, for a period of (10) ten years.

Was taken up.

Mr. Carmichael, of Colbert, offered the following amendment to the bill H. 845.

"Amend by striking out of the caption all after the word "rivers" in line 7 of caption and by striking out section 2."

And the amendment was adopted.

Yeas, 60; nays, 2.

Yeas:

Messrs:—

Alford	Gunter	Power
Armstrong	Haley	Pratt
Arnold	Henley	Price
Baltzell	John	Pugh
Barton	Johnson	Ragsdale
Benners	Killen	Rainer
Bloch	Lacy (Dallas)	Rowe
Bulger	Lacy (Walker)	Rushton
Carmichael (Colbert)	Lancaster	Sample
Coleman (Lowndes)	Lawson	Sanders
Coleman (Marshall)	Long (Morgan)	Sanford
Cooper	Lyons	Smith (Elmore)
Cranford	Mitchell	Smith (Lee)
Crum	Moore	Smith (Franklin)
Edwards	McCrory	Steagall
Elrod	McMillan	Turner
Foster	Norville	Urquhart
Fuller	Parker	Weaver
Glover	Pearson	White (Lamar)
Goodwyn	Powell (Bullock)	White (Perry)

Nays:
Messrs:—

King

Sherrod

—2.

And the bill:

H. 845. To grant to any person, firm or corporation acquiring necessary lands on both sides of a navigable river, and organized for the purpose of developing water power and electrically transforming and distributing the same, for the use of the public, to construct dams and locks in navigable rivers for the development of water power. To grant perpetual and exclusive easements for power purpose to and in the waters and beds of said rivers and to exempt the property of such person, firm or corporation used for the development and transmission of such power from taxation for a period of (10) ten years.

As amended,

Was read a third time at length and passed.

Yeas, 55; nays, 3.

Yeas:

Messrs:—

Alford	Gunter	Rainer
Armstrong	Haley	Rowe
Arnold	John	Rushton
Baltzell	Johnson	Sample
Barton	Killen	Sanders
Benners	Lacy (Dallas)	Seale
Benson	Lancaster	Smith (Elmore)
Bloch	Lovelady	Smith (Lee)
Carmichael (Clay)	Lyons	Smith (Franklin)
Carmichael (Colbert)	Mitchell	Steagall
Coleman (Lowndes)	McMillan	Thompson
Coleman (Marshall)	Norville	Turner
Cooper	Parker	Urquhart
Cranford	Pearson	Vann
Crum	Pitts (Perry)	Weaver
Edwards	Power	White (Lamar)
Fuller	Pratt	White (Perry)
Glover	Price	Woolf
Goodwyn		

—55.

Nays:

Messrs:—

Cannon

King

Sherrod

—3.

On motion of Mr. Carmichael, of Colbert, the bill H. 845, was ordered sent to the Senate without engrossment.

S. 228. To make appropriation for the repair, building and maintenance of the Confederate soldiers home at Mountain Creek, Alabama.

Was taken up.

The question was upon the adoption of the amendment offered by the standing committee as appropriation, which is as follows:

Amend S. B. 228. By inserting in section 1 after the words "resident physician, \$600" the words "for hospital help, \$1000 per annum."

And the amendment was adopted.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Alford	Henley	Parker
Armstrong	Hoffman	Pearson
Arnold	John	Pitts (Perry)
Baltzell	Johnson	Powell (Bullock)
Barton	Killen	Power
Benners	Kirby	Price
Bloch	Lacy (Dallas)	Rainer
Cannon	Lancaster	Rowe
Carmichael (Clay)	Lawson	Rushton
Carmichael (Colbert)	Lindsey	Sample
Coleman (Lowndes)	Long (Butler)	Sanders
Coleman (Marshall)	Long (Morgan)	Sanford
Cooper	Lovelady	Sherrod
Cranford	Lyons	Smith (Elmore)
Edwards	Mitchell	Smith (Lee)
Glover	Moore	Smith (Franklin)
Goodwyn	McMillan	Steagall
Gunter	Norville	Thompson

Turner	Weaver	Williams
Urquhart	White (Lamar)	Woolf
Vann	White (Perry)	

—62.

And the bill:

S. 228. To make appropriation for the repair, building and maintenance of the Confederate soldiers home at Mountain Creek, Alabama.

As amended.

Was read a third time, at length and passed.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Alford	John	Price
Armstrong	Killen	Ragsdale
Ballard (Pike)	Kirby	Rainer
Baltzell	Lacy (Dallas)	Rowe
Barton	Lacy (Walker)	Rushton
Benners	Lancaster	Sample
Cannon	Lawson	Sanders
Carmichael (Clay)	Lindsey	Sanford
Carmichael (Colbert)	Long (Butler)	Sherrod
Coleman (Lowndes)	Lovelady	Smith (Elmore)
Coleman (Marshall)	Lyons	Smith (Lee)
Cooper	Mitchell	Steagall
Cranford	McMillan	Thompson
Edwards	Norville	Turner
Elrod	Parker	Urquhart
Glover	Pearson	Vann
Goodwyn	Pitts (Dallas)	Weaver
Gunter	Pitts (Perry)	White (Lamar)
Henley	Powell (Bullock)	White (Perry)
Hoffman	Power	

—59.

H. 735. To provide for and regulate the working of the public roads in Tallapoosa county.

Was read a third time, at length and passed.

Yeas, 60; nays, 0.

Yeas :

Messrs :—

Alford	John	Power
Arnold	Johnson	Pratt
Ballard (Autauga)	Killen	Pugh
Barton	King	Ragsdale
Benners	Kirby	Rainer
Carmichael (Clay)	Lacy (Dallas)	Rattray
Carmichael (Colbert)	Lacy (Walker)	Rice
Coleman (Lowndes)	Lancaster	Rowe
Coleman (Marshall)	Lee (Etowah)	Rushton
Cooper	Lindsey	Sample
Cranford	Long (Butler)	Sanders
Crum	Lyons	Seale
Dudley	Middleton	Sherrod
Edwards	Mitchell	Smith (Elmore)
Glover	McMillan	Smith (Lee)
Goodwyn	Parker	Steagall
Gunter	Pearson	Thompson
Haley	Pitts (Dallas)	Turner
Henley	Pitts (Perry)	Williams
Hoffman	Powell (Bullock)	Wolf
Jenkins		

—60.

On motion of Mr. Turner the bill H. 735 was ordered sent to the Senate without engrossment.

H. 835. To authorize municipal corporations to levy and collect a license tax on all exhibitions, trades, business, vocations, occupations, and professions which are now are may hereafter be engaged in or carried on within the limits of such municipal corporation.

Was read a third time at length, and passed.

Yeas, 55; nays, 0.

Yeas :

Messrs :—

Alford	Carmichael (Colbert)	Glover
Armstrong	Coleman (Lowndes)	Goodwyn
Baltzell	Cooper	Haley
Benners	Cranford	Henley
Bloch	Edwards	Jenkins
Cannon	Fuller	John

Killen	Pitts (Perry)	Sanders
Kirby	Powell (Bullock)	Sanford
Lacy (Walker)	Power	Seale
Lindsey	Price	Sherrod
Long (Butler)	Pugh	Smith (Lee)
Lyons	Ragsdale	Thompson
Mitchell	Rainer	Tunstall
Moore	Ratray	Turner
McCrory	Rice	Urquhart
McDuffie	Rowe	Vann
McMillan	Rushton	Weaver
Pearson	Sample	Woolf
Pitts (Dallas)		

—55.

On motion of Mr. Killen the bill H. 835 was ordered sent to the Senate without engrossment.

S. 230. To provide for the collection, compilation and publication of statistics of cotton ginned within the State; to establish a bureau of cotton statistics, and to prescribe the duties and powers of such bureau; to make appropriation for the maintenace thereof, to require ginners to make reports thereto; and to fix penalties for the violations of the provisions of this act.

Was taken up.

The question was upon the adoption of the amendment reported by the standing committee on agriculture which is as follows:

Amend section two. By adding "any such director shall give a bond, in the sum of five thousand dollars, to be approved by the governor, and conditioned upon the full and faithful performance of his duties."

Amend section three. By incorporating the words "with a copy of this act and," after word "State" in line four and the words "and postage" after the word "forms" in same line.

Amend section four. By striking out the words "engaged in the ginning of cotton shall before further engaging in same," in lines one and two and substituting in lieu thereof the words "operating or who shall here-

after operate a ginnery." And amend further by adding the words "and amount ginned during current ginning season," after the words "ginner" in line seven.

Amend section five. By striking out the words "to carry out the provisions of this act," in line three and substituting therefor the words "to defray the expenses of such bureau for books, postage, stationery, office supplies and clerical assistance."

And the amendment was adopted.

Yeas, 55; nays, 2.

Yeas:

Messrs:—

Alford	Hoffman	Pitts (Dallas)
Armstrong	John	Powell (Bullock)
Ballard (Autauga)	Johnson	Power
Baltzell	Killen	Price
Barton	Kirby	Pugh
Benners	Lacy (Walker)	Rainer
Bloch	Lancaster	Rice
Carmichael (Colbert)	Lawson	Rowe
Coleman (Lowndes)	Lindsey	Rushton
Coleman (Marshall)	Long (Butler)	Sanders
Cooper	Long (Morgan)	Seale
Cranford	Lovelady	Smith (Lee)
Crum	Lyons	Smith (Franklin)
Edwards	Mitchell	Tunstall
Fuller	Moore	Turner
Goodwyn	McDuffie	Urquhart
Gunter	McMillan	Vann
Haley	Pearson	White (Lamar)
Henley		

—55.

Nays:

Messrs:—

Pitts (Perry) White (Perry)

—2.

And the bill:

S. 230. To provide for the collection, compilation and publication of statistics of cotton ginned within the State; to establish a bureau of cotton statistics, and to prescribe the duties and powers of such bureau;

to make appropriation for the maintenace thereof, to require ginnerers to make reports thereto; and to fix penalties for the violations of the provisions of this act.

As amended.

Was read a third time, at length and passed.

Yeas, 52; nays, 7.

Yeas:

Messrs:—

Alford	Haley	McMillan
Barton	Henley	Parker
Benners	Hoffman	Pearson
Bloch	John	Powell (Bullock)
Bulger	Johnson	Power
Cannon	King	Price
Carmichael (Clay)	Lacy (Walker)	Pugh
Carmichael (Colbert)	Lancaster	Rainer
Coleman (Lowndes)	Lawson	Rattray
Coleman (Marshall)	Lee (Etowah)	Rowe
Cooper	Lindsey	Rushton
Cranford	Long (Morgan)	Sanders
Edwards	Lovelady	Seale
Elrod	Lyons	Sherrod
Fuller	Mitchell	Smith (Franklin)
Glover	Moore	Tunstall
Goodwyn	McDuffie	Urquhart
Gunter		

—52.

Nays:

Messrs:—

Long (Butler)	Sample	White (Lamar)
Pitts (Perry)	Smith (Lee)	White (Perry)
Ragsdale		

—7.

H. 441. To ascertain and establish disputed boundaries.

Was read a third time, at length and passed.

Yeas, 56; nays, 3.

Yeas:

Messrs:—

Alford	John	Price
Armstrong	Johnson	Pugh
Barton	Killen	Ragsdale
Benners	King	Rainer
Bloch	Lacy (Walker)	Ratray
Carmichael (Clay)	Lawson	Rowe
Carmichael (Colbert)	Lindsey	Rushton
Coleman (Lowndes)	Long (Butler)	Sanders
Cooper	Long (Morgan)	Sanford
Crum	Lovelady	Sherrod
Doyle (Clark)	Mitchell	Smith (Elmore)
Elrod	McCrary	Smith (Lee)
Glover	McDuffie	Smith (Franklin)
Goodwyn	McMillan	Turner
Gunter	Parker	Urquhart
Haley	Pearson	Vann
Henley	Pitts (Dallas)	Weaver
Hoffman	Power	Woolf
Hughston	Pratt	

—56.

Nays:

Messrs:—

Bulger	Cannon	White (Perry)
--------	--------	---------------

—3.

On motion of Mr. Gunter the bill H. 441 was sent to the Senate without engrossment.

H. 831. To fix the salary of the judge of the 10th judicial circuit of the State of Alabama at the sum of forty-five hundred (\$4,500.00) dollars per annum, and to provide for the payment of as much thereof out of the State treasury as shall be paid to other circuit judges of the State of Alabama, and for the payment of the remainder thereof out of the treasury of Jefferson county.

Was read a third time, at length and passed.

Yeas, 58; nays, 5.

Yeas:**Messrs:—**

Alford	Henley	Power
Armstrong	Hoffman	Price
Arnold	Hughston	Pugh
Arrington	Jenkins	Ragsdale
Baltzell	John	Rainer
Barton	Johnson	Rattray
Benners	King	Rice
Bulger	Lacy (Dallas)	Rowe
Carmichael (Clay)	Lawson	Seale
Carmichael (Colbert)	Lindsey	Smith (Elmore)
Coleman (Lowndes)	Long (Butler)	Smith (Lee)
Cooper	Long (Morgan)	Smith (Franklin)
Cranford	Lyons	Thompson
Crum	Mitchell	Tunstall
Edwards	Moore	Turner
Fuller	McCrary	Urquhart
Glover	Parker	Wcaver
Goodwyn	Pearson	White (Perry)
Gunter	Pitts (Dallas)	Woolf
Haley		

—58.

Nays:**Messrs:—**

Cannon	Rushton	Vann
Killen	Sherrod	

—5.

On motion of Mr. Haley the bill H. 831 was ordered sent to the Senate without engrossment.

S. 175. To further regulate and prohibit the dealing in future contracts in the State of Alabama.

Was taken up.

The question was upon the adoption of the amendment reported by the standing committee on Commerce and Common Carriers which is as follows:

Amend by striking out the words in last line of section 5, "and imprisoned at the discretion of the court" and insert not less than one hundred dollars, and may be sentenced to hard labor for not less than one month, and upon a second conviction shall be fined not less than

five hundred dollars and sentenced to hard labor for not less than six months.

Strike out the words wherever they occur, "and may be at the discretion of the court" and insert in these words: "May be sentenced to hard labor for not less than one month nor more than six months."

The provisions of this act shall take effect on the first day of January, 1908.

Mr. Kirby offered thhe following amendment to the amendment reported by the committee.

"Amend the amendment reported by the committee on Commerce and Common Carriers by striking out the words "the provisions of this act shall take effect on the first day of January, 1908."

Mr. Pitts of Dallas moved to table the amendment offered by Mr. Kirby and the motion to table prevailed.

Yeas, 42; nays, 36.

Yeas:

Messrs:—

AHord	Lacy (Walker)	Rainer
Arnold	Lee (Houston)	Rattray
Arrington	Lindsey	Rice
Benners	Lovelady	Sample
Bloch	Lyons	Sanders
Coleman (Lowndes)	Maner	Sanford
Coleman (Marshall)	Middleton	Seale
Cranford	Mitchell	Sherrod
Crum	McDuffie	Smith (Elmore)
Goodwyn	Parker	Thompson
Gunter	Pitts (Dallas)	Vann
Hoffman	Pitts (Perry)	White (Lamar)
John	Powell (Bullock)	White (Perry)
Lacy (Dallas)	Power	Woelf

—42.

Nays:

Messrs:—

Armstrong	Baltzell	Cannon
Ballard (Autauga)	Barton	Carmichael (Clay)
Ballard (Pike)	Bulger	Carmichael (Colbert)

Cooper	Kirby	Pugh
Elrod	Lawson	Ragsdale
Fuller	Lee (Etowah)	Rushton
Glover	Lovelady	Smith (Etowah)
Haley	Moore	Smith (Franklin)
Henley	McCrary	Steagall
Johnson	McMillan	Turner
Killen	Pratt	Urquhart
King	Price	Williams

—36.

Mr. Pitts, of Dallas, offered the following amendment to the amendment reported by the committee on Commerce and Common Carriers.

Amend section 2 of said bill, by inserting after the word "delivered" in 2nd line and before the words "at the time" the words "or intended to be delivered."

And the amendment offered by Mr. Pitts, of Dallas, was lost.

And the amendment reported by the standing committee on Commerce and Common Carriers was adopted.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Alford	Glover	Lee (Houston)
Armstrong	Goodwyn	Lindsey
Arnold	Gunter	Long (Butler)
Arrington	Haley	Long (Morgan)
Ballard (Autauga)	Henley	Lovelady
Ballard (Pike)	Hoffman	Lyons
Baltzell	Hughston	Middleton
Barton	John	Mitchell
Benners	Johnson	Moore
Bloch	Killen	McDuffie
Cannon	King	McMillan
Carmichael (Colbert)	Kirby	Parker
Coleman (Lowndes)	Lacy (Dallas)	Pitts (Dallas)
Crum	Lacy (Walker)	Pitts (Perry)
Elrod	Lancaster	Powell (Bullock)
Fuller	Lee (Etowah)	Price

Messrs:—

Rainer
Rattray
Rice
Rushton

Sample
Sherrod
Smith (Franklin)
Steagall

Urquhart
Vann
White (Lamar)
Williams

—60.

And the bill:

S. 175. To further regulate and prohibit the dealing in future contracts in the State of Alabama.

As amended.

Was read a third time, at length and passed.

Yeas, 57; nays, 4.

Yeas:

Messrs:—

Alford
Arrington
Ballard (Autauga)
Ballard (Pike)
Baltzell
Barton
Benners
Bloch
Cannon
Carmichael (Colbert)
Coleman (Lowndes)
Cooper
Crum
Fuller
Glover
Goodwyn
Gunter
Haley
Henley
Hughston

Johnson
Killen
King
Kirby
Lacy (Dallas)
Lacy (Walker)
Lancaster
Lee (Etowah)
Long (Morgan)
Lovelady
Mitchell
Moore
McCrory
McDuffie
McMillan
Parker
Pitts (Dallas)
Pitts (Perry)
Powell (Bullock)

Power
Pratt
Ragsdale
Rainer
Rattray
Rushton
Sanders
Sherrod
Smith (Elmore)
Smith (Etowah)
Smith (Franklin)
Steagall
Tunstall
Turner
Urquhart
Vann
White (Lamar)
White (Perry)
Williams

—58.

Nays:

Messrs:—

Lyons
Maner

Sample

Seale

—4.

S. 272. To authorize cities and towns in the State of Alabama, to provide for the drainage thereof by sanitary and storm water sewers, ditches, surface drains, aqueducts and canals, to prescribe rules and regulations for the installation of plumbing, to enforce connection with and the use of such sewers or drains, and to regulate the same.

Was read a third time at length, and passed.

Yeas, 53; nays, 5.

Yeas:

Messrs:—

Barton	Kirby	Rainer
Benners	Lacy (Walker);	Rattray
Bloch	Lancaster	Rice
Carmichael (Colbert)	Long (Butler)	Rushton
Coleman (Lowndes)	Leng (Morgan)	Sample
Cooper	Lovelady	Sanders
Cranford	Lyons	Seale
Crum	Maner	Sherrod
Fuller	Middleton	Smith (Lee)
Glover	Moore	Smith (Franklin)
Goodwyn	McCrary	Tunstall
Gunter	McDuffie	Turner
Haley	McMillan	Urquhart
Hoffman	Pitts (Dallas)	Vann
Hughston	Pitts (Perry)	Weaver
John	Powell (Bullock)	White (Lamar)
Johnson	Power	Williams
King	Pugh	

—53.

Nays:

Messrs:—

Ballard (Autauga)	Killen	Ragsdale
Cannon	Parker	

—5.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on enrolled bills having examined the following House bills beg leave to report the same correctly enrolled:

H. 107. To prohibit the sale of adulterated cotton seed meal as fertilizers, to have the same analyzed and a

guaranteed analysis printed on tags and tags attached to the bags containing the same and in case of sales in bulk to have such analysis set forth in the contract of sale and providing penalties and punishments for the violation of the provisions of this act.

H. 449. To change and define the boundary line of Bibb county, Alabama, between said county and the counties of Shelby and Jefferson.

H. 278. To arrange the boundaries of the town of Oxford in Calhoun county, Alabama.

H. 748. To prohibit the sale, barter, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters or beverages, in Franklin county, Alabama.

H. 96. To provide for the payment of certain fine and forfeiture funds in the hands of the clerk of the circuit court of Cullman county, Alabama.

H. 726. To fix the salary of the judge of the city court of Montgomery.

J. S. Williams, Chairman.

SIGNING BILLS.

The speaker pro tempore of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present signed the bills, the titles to which are set out in the above and foregoing report from the standing committee on Enrolled Bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 788. To make further provisions for defraying the expenses of the Legislature.

H. 811. To provide for the payment of expenses incurred by the door-keeper of the House and door-keeper of the Senate.

H. 688. To create the office of county solicitor for Madison county, and to prescribe his duties and powers, and to fix his compensation or salary, and to provide for his appointment and election.

H. 689. To fix the terms of the circuit court of Madison county and to dispense with grand juries in said county, except when especially ordered by the judge.

H. 460. To repeal an act, approved December 6th, 1900, entitled an act to make all fines and forfeitures in Dale county, Alabama, payable only in lawful money of the United States.

H. 545. To repeal "an act authorizing the transfer of any civil cause pending in the city court of Bessemer in the county of Jefferson, in the State of Alabama, to the circuit court of Jefferson county in said State, or to the city court of Birmingham," approved September 26th, 1903.

H. 546. Authorizing the transfer of any civil cause now pending in the circuit court of Jefferson county, in the State of Alabama, in the city court of Birmingham, in said State, or in the chancery court of said county back to the city court of Bessemer in said county, in all cases where the cause has been removed from said city court of Bessemer to said circuit, city or chancery court by and at the instance of the defendant.

H. 806. To better provide for maintaining, working and repairing the public roads of Henry county, Alabama.

H. 718. For the relief of the dispensary of the town of Gordon, Houston county, Alabama, whereas, the dispensary in the town of Gordon, Houston county, Alabama, did pay to the State of Alabama, \$250.00 for the year 1906, as a license to sell spirituous, vinous and malt liquors in said town, and whereas, the law under which said dispensary was run was held and declared unconstitutional by the circuit court of Houston county, Alabama, after the taking out and paying for said license and prior to the 20th day of January, 1906; and the commissioners who were running and operating said dispensary were ousted by said court, and ordered

to desist by said court from further running or operating of said dispensary; and said commissioners, in obedience to said order, ceased to run said dispensary any longer, or to sell spirituous, vinous or malt liquors under the said license any longer.

H. 670. To provide for and regulate the working of the public roads in Lee county, Alabama.

And returns same herewith to the House.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed and ordered sent forthwith to the House without engrossment;

S. 372. To establish police commissioners in cities of 35,000 population, or more, in counties of 125,000, or more, population, and to define their terms of office, duties and powers.

And sends the same to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Senate bill, the title to which is set out in the above and foregoing Senate message was read one time and referred to an appropriate standing committee as follows:

Judiciary, S. 372.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended as therein shown and as amended has passed:

H. 483. To create an additional judge for the tenth judicial circuit of Alabama, and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to the pains and penalties of the other judges, and provide for the salaries of the judges of said court; to provide how the judges sitting in said

circuit court in Jefferson county may hold court, and to regulate the holding of the circuit court in said county, in the tenth circuit, the establishment of rules of procedure and practice therein, and the summoning, empanelling and swearing of jurors to serve in said court in said county; and to secure suitable rooms, furniture and supplies thereof for said court in said county, and the clerk thereof.

And return same herewith to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. King the House concurred in the Senate amendment to the Bill H. 483, said Senate amendments being as follows:

Senate amendments to H. 483.

Amend House bill 483 by striking out section 1, and by substituting therefor the following:

Section 1. Be it enacted by the Legislature of Alabama, and there is hereby authorized and created an additional judge of the tenth judicial circuit of the State of Alabama, who shall be appointed by the governor of Alabama, within ten days after the passage of this act, and who shall hold office until the next general election for any State officer, and until his successor shall have been elected and qualified; and thereafter such additional judge shall be elected every six years as other circuit judges are elected in this State.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Alford	Carmichael (Colbert)	Haley
Arrington	Coleman (Lowndes)	Henley
Ballard (Autauga)	Cooper	Hoffman
Ballard (Pike)	Cranford	Hughston
Baltzell	Crum	John
Barton	Fuller	Johnson
Benners	Glover	Killen
Bloch	Goodwyn	King
Cannon	Gunter	Kirby

Lacy (Walker)	McMillan	Seale
Lancaster	Parker	Sherrod
Lee (Etowah)	Pitts (Dallas)	Smith (Elmore)
Long (Butler)	Pitts (Perry)	Smith (Etowah)
Long (Morgan)	Powell (Bullock)	Smith (Franklin)
Lovelady	Power	Tunstall
Lyons	Pratt	Urquhart
Mitchell	Ragsdale	Vann
Moore	Rainer	White (Lamar)
McCrory	Rowe	Williams
McDuffie	Sample	

—60.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 731. To detach and make a portion of the territory of Conecuh county and attach and add the same to Escambia county.

H. 574. To establish a dispensary in and for the town of Clanton in the county of Chilton, State of Alabama; and to provide for the conduct and regulation of the same.

H. 708. To authorize the court of county commissioners of Walker county, Alabama, to borrow money and pay interest thereon.

H. 750. To amend an act, entitled "an act to amend an act, approved February 15th, 1899, entitled an act to amend section 908 of the code of 1896, and to fix the time of holding the circuit court in the 10th circuit of Alabama, composed of the counties of Winston, Walker and Jefferson," Approved December 13, 1900, in so far as said act relates to time of holding the circuit court for Jefferson county.

H. 538. To provide for the election of four commissioners of Fayette county, Alabama, by the qualified electors of said county.

H. 792. To fix and provide for the salaries of the judges of the city court of Birmingham.

H. 667. For the relief of Mary A. Pope, widow of an ex-confederate soldier, being a resident of Marion county, Alabama.

H. 712. To fix and provide for the salaries of the judges of the criminal court of Jefferson county.

And herewith returns same to the House.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed:

S. 132. To regulate the sale of certain narcotic drugs.

And orders same sent forthwith to the House without engrossment.

And has amended as therein shown and as amended has passed:

H. 330. To establish an immigration board for the State of Alabama, to define its duties, to appropriate money to pay the expenses for carrying out its provisions, to provide for the appointment of an immigration commissioner, to define his duties, and to fix his compensation.

And returns same to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Senate bill, 132 the title to which is set out in the above and foregoing Senate message was read one time and referred to an appropriate standing committee as follows:

Public Health, S. 132.

And on motion of Mr. King the House concurred in the Senate amendment to the bill H. 330, said Senate amendment being as follows:

Amend section 9, by adding after the word "misdemeanor" in the last line of said section the words "and upon conviction shall be fined not less than \$1,000," and by striking out the words in said line "of not less than five hundred dollars."

Amend by striking out of section 8 the words "northern Italy and Spain."

Amend by adding section 10 next after section 9 to read as follows:

Section 10. Be it further enacted, That for the purpose of carrying out the provisions of section 3 of this act, so far as it relates to the encouragement of immigration to this State, travelling expenses of the Immigration Commissioner when necessary and acting under the direction of the Immigration board, there shall be appropriated out of the general funds the sum of five thousand dollars annually, or so much thereof as may be necessary.

Also to amend so as to number the subsequent sections consecutively.

Yeas, 32; nays, 30.

Yeas:

Messrs:—

Alford	Haley	Lyons
Arnold	Hughston	Maner
Arrington	John	McMillan
Benners	Johnson	Parker
Bloch	King	Pitts (Dallas)
Bulger	Kirby	Ragsdale
Coleman (Lowndes)	Lacy (Dallas)	Rice
Crum	Lancaster	Seale
Glover	Lee (Etowah)	Tunstall
Goodwyn	Long (Morgan)	Turner
Gunter	Lovelady	

—32.

Nays:

Messrs:—

Ballard (Autauga)	Killen	Sample
Ballard (Pike)	Long (Butler)	Sanders
Barton	Mitchell	Sherrod
Cannon	Moore	Smith (Elmore)
Carmichael (Colbert)	McCrory	Smith (Franklin)
Cooper	Pitts (Perry)	Steagall
Cranford	Powell (Bullock)	Urquhart
Fuller	Power	Vann
Haley	Rainer	White (Perry)
Hoffman	Rushton	Williams

—30.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the conference report on the disagreement of the two Houses on amendments to H. 333, and herewith returns said bill and amendments to the House.

J. A. Kyle, Secretary.

REPORT OF CONFERENCE COMMITTEE.

Your joint committee on H. B. 333, beg leave to report that they have agreed upon the Senate amendments to H. B. 333 and request the Senate to return same to the House and further recommend that the House concur in Senate amendments.

Max Hamburger, Jr.,
Chas. B. Teasley,
On part of the Senate.
A. S. Lyons,
Wm. H. Long, Jr.,
S. G. Woolf,
On part of the House.

Mr. Lyons moved that the House adopt and concur in the conference report on the disagreement of the two Houses, on the Senate amendments to the bill, H. 333.

The motion of Mr. Lyons was lost, and the House refused to concur in the conference report.

Yeas, 29; nays, 34.

Yeas:

Messrs:—

Arrington	King	McCrory
Benners	Kirby	Parker
Carmichael (Colbert)	Lancaster	Pitts (Dallas)
Glover	Lee (Etowah)	Power
Goodwyn	Long (Butler)	Rainer
Gunter	Long (Morgan)	Rice
Haley	Lovelady	Seale
Hoffman	Lyons	Smith (Franklin)
Hughston	Maner	Urquhart
John	Middleton	

Nays:

Messrs:—

Alford	Henley	Rattray
Ballard (Autauga)	Johnston	Rushton
Ballard (Pike)	Killen	Sample
Baltzell	Lacy (Walker)	Sanders
Barton	Mitchell	Sherrod
Bloch	Moore	Smith (Elmore)
Cannon	McDuffie	Tunstall
Cooper	McMillan	Turner
Cranford	Pitts (Perry)	Vann
Crum	Powell (Bullock)	Weaver
Elrod	Ragsdale	White (Lamar)
Fuller		

—34.

Mr. Goodwyn moved that a committee of conference be appointed to consider again the Senate amendments to the bill, H. 333. On motion of Mr. Lyons, the motion of Mr. Goodwyn was laid upon the table.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the report of the committee of conference appointed on the disagreement of the two Houses as to the Senate amendments to House bill No. 114:

H. 114. To prohibit the sale, barter or exchange of vinous, spirituous, or malt liquors or intoxicating biters, or beverages, at any place in the county of Etowah, except within the corporate limits of the cities of Gadsden and Attalla.

Yeas, 20; nays, 1.

And herewith returns said bill to the House.

And has concurred in House amendments to S. 228.

S. 228. To make an appropriation for the repair, building and maintenance of the Confederate Soldiers' Home at Mountain Creek, Alabama.

J. A. Kyle,
Secretary.

REPORT OF CONFERENCE COMMITTEE.

To the Legislature of Alabama :

We the conference committee of the House and Senate, composed of Messrs. Hamner, Teasley and Doster of the Senate, and Messrs. Lee of Etowah, Smith of Etowah, and Weaver, of the House, beg leave to report the following: We respectfully recommend that the Senate recede from the Senate amendment to House bill 114 and that said bill be passed without amendment.

Hamner, of Etowah, not concurring.

Respectfully submitted,

H. S. Doster,
Chas. B. Teasley,
Senate Committee.
Alto V. Lee, Jr.,
W. A. Weaver,
H. P. Smith,
House Committee.

On motion of Mr. Lee, of Etowah, the House concurred in and adopted the report of the conference committee on the disagreement of the two Houses, on the Senate amendment to the bill, H. 114.

Yeas, 61; nays, 0.

Yeas:

Messrs:--

Alford	Crum	Kirby
Arrington	Elrod	Lacy (Walker)
Ballard (Autauga)	Fuller	Lancaster
Ballard (Pike)	Glover	Lee (Etowah)
Baltzell	Goodwyn	Long (Butler)
Barton	Gunter	Long (Morgan)
Benners	Haley	Lovelady
Bloch	Henley	Lyons
Cannon	Hoffman	Maner
Carmichael (Colbert)	Hughston	Mitchell
Coleman (Lowndes)	John	Moore
Coleman (Marshall)	Johnson	McCrory
Cooper	Killen	McDuffie
Cranford	King	McMillan

Parker	Rushton	Tunstall
Pitts (Perry)	Sanders	Turner
Powell (Bullock)	Sherrod	Urquhart
Power	Smith (Elmore)	Vann
Pratt	Smith (Etowah)	Weaver
Rainer	Smith (Franklin)	Williams
Rice		

—61.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President having signed the following bills, your signature thereto is requested:

S. 1. To amend section 4 of an act to provide for subordinate employes of the Legislature.

S. J. R. 53. To confer jurisdiction of all misdemeanors on the county court of Clarke county, and to define the jurisdiction of said court, to regulate the practice therein, to provide for a judge, solicitor and clerk of said court and to fix their compensation.

S. 136. To further regulate the financial affairs of Dallas county.

S. 142. For the government of juvenile delinquents in the county of Mobile, Alabama.

S. 226. To make appropriation for the Confederate Soldiers' Home at Mountain Creek, Alabama, and for other purposes.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker pro tempore of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, and S. J. R. No. 53, the titles of which are set out in the above and foregoing Senate message.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following bills, your signature thereto is requested:

S. 48. To create the fifteenth judicial circuit for the State of Alabama, to be composed of the counties of Autauga, Chilton, Elmore and Montgomery; to confer equity jurisdiction on said court as to matters arising in Autauga, Elmore and Chilton counties and to provide for registers in chancery therein; to provide for the appointment of a judge and solicitor for said court and for the removal of pending causes and the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit and to authorize the judge of said circuit court to adopt reasonable rules of practice to facilitate the business of the court.

S. 219. To provide for the revocation of the license or right to engage in or carry on the business of the transportation, originating and terminating in this State, of freight or passengers, of any foreign corporation which is now engaged, or which may hereafter engage in such business, or the business of common carrier in this State, in the event such corporation shall for any of the purposes specified in this act, institute in any federal court any suit or proceeding or shall remove or cause to be removed to any federal court any suit or proceeding instituted in any State court for any of the purposes specified in this act.

S. 320. To amend section 17 of an act approved March 3, 1903, entitled an act to provide for the holding the elections on the question of changing of county seats, and in the event of a majority of qualified electors of the county voting at such election shall vote in favor of changing or locating county seats to provide for changing or locating county seats under the erection of necessary county buildings and to provide for the necessary county officers.

S. 310. Conferring on railroads operating in the State of Alabama, the right to acquire lands for depots,

freight yards and team tracks by condemnation proceedings, in the mode prescribed by law, after application for permission to bring such condemnation proceedings has first been submitted to and approved by the railroad commission of Alabama.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker pro tempore of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Senate message.

MOTION IN WRITING.

Mr. Hoffman made the following motion in writing:

Notice is given that on Monday, March 4, 1907, a motion will be made to take H. B. 226, to prescribe the punishment for the crime of rape from the adverse calendar, and have the same referred to the committee of the whole House.

REPORT OF RULES COMMITTEE.

Mr. John, from the standing committee on Rules, returned to the House, with a favorable report, the following resolution:

Whereas, it has been charged in the public press of this State, and by many merchants, that there exists a combination or trust among and between the manufacturers of guano and fertilizer in this State, and,

Whereas, it is charged that said combination or trust does in violation of law fix the price of guano and fertilizer, and limit the quantity of the same offered for sale, and

Whereas, it is further charged that the guano and fertilizer sold by said trust or combination of guano and fertilizer manufacturers contains a large per cent

of cheap material that has no beneficial effect on the soil, and does not increase its productiveness, and

Whereas, the farmers of Alabama have a great financial interest in the price of guano and fertilizer, and in the purity of the same offered for sale, now therefore,

Be it resolved, by the Senate, the House concurring, that a joint committee of both Houses be appointed to consist of two from the Senate, and three from the House, to investigate said charges.

Be it further resolved, that said committee shall have power to summons witnesses before it and compel their attendance by compulsory process, and administer oath, and shall have power to require any person, firm or corporation engaged in the manufacture or sale of guano and fertilizer, to produce his or its books before said committee and give evidence before said committee as to any matters of which he has knowledge as to the subject to be investigated.

Be it further resolved, that said committee shall have authority to sit during any recess of this Legislature, and shall make a general investigation of the sale of guano and fertilizer tags, and shall investigate who pays the tag tax, and whether or not there is any abuse of the law, requiring analysis of guano and fertilizer and tagging the same.

Be it further resolved, that the attorney-general shall assist the committee in making the investigations provided for in this resolution.

Be it further resolved, that said committee may employ a stenographer to take and transcribe all evidence taken by it, and shall at the conclusion of its work report to the Legislature the testimony taken, with the conclusion and recommendations of said committee.

Be it further resolved, that said committee shall receive four dollars per day while in actual service, and be paid mileage as members of the Legislature are paid, and are to be paid in same way and manner, as the members of the Legislature are paid, and if they employ a stenographer, said stenographer shall be paid by the State.

And on motion of Mr. Tunstall, the further consideration of the S. J. R. was postponed until tomorrow morning.

ADJOURNMENT.

On motion of Mr. Long, of Butler, the House adjourned until 10 o'clock tomorrow morning.

THIRTY-FIFTH DAY.

House of Representatives,
Saturday, March 2nd, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by Rev. Brooks Lawrence, of Birmingham.

ROLL CALL.

On a call of the roll of the House the following members answered to their names:

Messrs:—

Alford	Cooper	King
Armstrong	Cranford	Kirby
Arnold	Doyle (Clark)	Lacy (Dallas)
Arrington	Dudley	Lacy (Walker)
Ballard (Autauga)	Edwards	Lancaster
Ballard (Pike)	Elrod	Lawson
Baltzell	Fuller	Lee (Etowah)
Barton	Glover	Lee (Houston)
Benners	Goodwyn	Lindsey
Bloch	Gunter	Long (Butler)
Brown	Haley	Long (Morgan)
Bulger	Henley	Lovelady
Burney	Hoffman	Lyons
Cannon	Hughston	Maner
Carmichael (Clay)	Jenkins	Middleton
Carmichael (Colbert)	Johr	Mitchell
Coleman (Lowndes)	Johnson	Moore
Coleman (Marshall)	Killen	McCrary

McDuffie	Ragsdale	Smith (Etowah)
McMillan	Rainer	Smith (Franklin)
Norville	Ratray	Steagall
Oliver	Rice	Thompson
Parker	Rowe	Tunstall
Pearson	Rushton	Turner
Pitts (Dallas)	Sample	Urquhart
Pitts (Perry)	Sanders	Vann
Power	Sanford	Weaver
Powell (Bullock)	Seale	White (Lamar)
Power	Sherrod	White (Perry)
Pratt	Smith (Elmore)	Williams
Price	Smith (Lee)	Wolf
Pugh		

—92.

A quorum was present.

JOURNAL.

The chairman of the Standing Committee on Revision of the Journal made the following report:

Mr. Speaker:

Your committee on Revision of the Journal beg leave to report as follows:

We have examined the Journal for the Thirty-fourth day and find the same to be correct.

H. B. Steagall, Chairman.

The report of the committee was concurred in and the Journal of the 34th day was approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Rainer for to-day, and indefinite leave was granted to Mr. Crum, and to Mr. Powell of Covington for today.

PRIVILEGES OF THE FLOOR.

On motion of Mr. Hoffman the privileges of the floor were extended to Hon. James K. Gluson and Hon. P. J. Lyons of Mobile for today.

On motion of Mr. Steagall the privileges of the floor were extended to W. D. McLeod of Ozark.

On motion of Mr. Lyons the privileges of the floor were extended to Hon. E. W. Faith, Hon. F. J. Inge, and Hon. John Craft of Mobile, for today.

On motion of Mr. Long, of Butler, the privileges of the floor were extended to Hon. H. B. Pilley, for today.

REPORT OF RULES COMMITTEE.

Mr. John from the Committee on Rules returned to the House the following resolutions with a favorable report:

H. J. R. 195. Resolved by the Legislature of Alabama, that the joint committee raised to read the manuscript of the code, shall consider the legal status of the lands usually called "Swamp and Overflowed" lands which were granted by the act of the Alabama Legislature, approved Oct. 10, 1903, to the trustees of the "Alabama Insane Hospitals" and to consider and ascertain what lands "were sold prior to the passage of the act approved February 12, 1879, and the sales of which were confirmed by the said act."

Also whether there were two acts approved on the same day, towit: February 12, 1879, and if so which of these is referred to in the act approved Oct. 10, 1903, and whether there is any conflict in the provisions of the two acts, or any part of either act violates any provision of the constitution of Alabama.

The joint committee will also, consider, and report what legislation, if any, is needed to protect the rights of the State, and of the "Alabama Insane Hospitals" in and to the "Swamp and Overflowed" lands remaining unsold, and that will facilitate the equitable adjustment of claims of title to any of these lands which are claimed were sold by the State before the act of Oct. 10, 1903, and whether the officers or agents of the "A. I. Hospitals" have "interfered with, or disturbed the title and possession of the purchaser," or owner of any such swamp and overflowed lands" to "which they had a fairly just, or equitable claim."

The joint committee will report their findings and opinion, together with any bill or bills which they deem necessary or proper, to the legislature upon its reconvening on July 9, 1907.

And the resolution was adopted.

By Mr. John:

H. R. 197. Resolved that Senate bill 292, to authorize the chief justice and the associate justices of the supreme court to appoint two secretaries for the supreme court, and to fix their compensation and make appropriation therefor, and Senate bill 293, to fix the salary of the marshal and librarian of the supreme court and to make appropriation therefor, be made special continuing and paramount orders for March 2, immediately after the approval of the Journal.

And the resolution was adopted.

By Mr. John:

H. J. R. 198. Resolved by the legislature of Alabama, that the memorial to the legislature of Alabama, of Joseph W. Plume, receiver etc., Franklin J. Sawyer, trustee, and Charles T. Harbeck, be and it is hereby referred to the joint committee on the Code, with directions to consider the same and report the facts in connection with the transaction set forth in said memorial, as well as the law relating thereto, to the Legislature when it convenes after recess, together with any recommendation the committee may make in regard thereto. But the Legislature is not bound by any statement made in the memorial nor must this be construed into an admission of any liability for any debt on bond mentioned in the memorial.

And the resolution was lost.

By Mr. Carmichael, of Colbert:

H. R. 200. Resolved, That for today the morning session be extended to five-thirty o'clock p. m., and that a recess be taken from one-thirty to three p. m., and from five-thirty to eight p. m., and that the Speaker

shall not entertain any motion to shorten the session herein provided or provided by the rules of the House.

And the resolution was adopted.

By Mr. Lee, of Etowah:

H. R. 201. That whereas, the distinguished presiding officer of this House, the Honorable Wm. L. Martin, a few days since was taken sick and is yet confined to his room; and whereas, we hear this morning that he is not improving as rapidly as we all hope; and whereas, we are deprived of his wise counsel, as a citizen, as statesman; therefore, be it resolved, that the sympathy of this House is hereby tendered to our Speaker in his sickness with the profound hope that he will soon be restored to his usual health and able to return to his honored post of duty.

And the resolution was adopted by a unanimous rising vote of the House.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill, S. 292.

And the bill:

S. 292. To authorize the chief justice and the associate justices of the supreme court to appoint two secretaries for the supreme court, and to fix their compensation and make appropriation therefor.

Was read a third time, at length, and passed.

Yeas, 51; nays, 13.

Yeas:

Messrs:—

Armstrong

Doyle (Clark)

John

Arnold

Dudley

King

Barton

Fuller

Kirby

Renners

Glover

Lacy (Dallas)

Carmichael (Colbert)

Goodwyn

Lacy (Walker)

Coleman (Marshall)

Gunter

Lawson

Cooper

Haley

Lee (Houston)

Cranford

Hughston

Lindsey

Long (Morgan)	Power	Smith (Franklin)
Maner	Pratt	Steagall
Moore	Price	Tunstall
McDuffie	Rice	Urquhart
Parker	Rowe	Vann
Pearson	Sample	Weaver
Pitts (Dallas)	Sanford	White (Perry)
Pitts (Perry)	Seale	Williams
Powell (Bullock)	Smith (Lee)	Woolf

—51.

Nays:

Messrs:—

Baltzell	Edwards	Long (Butler)
Burney	Elrod	Rushton
Cannon	Johnson	Sanders
Carmichael (Clay)	Killen	Turner
Coleman (Lowndes)		

—13.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill, S. 293:

And the bill:

S. 293. To fix the salary of the marshal and librarian of the supreme court and to make appropriation therefor.

Was read a third time, at length, and passed.

Yeas, 45; nays, 10.

Yeas:

Messrs:—

Alford	Coleman (Marshall)	Lawson
Armstrong	Doyle (Clark)	Lee (Houston)
Arnold	Glover	Long (Morgan)
Ballard (Autauga)	Goodwyn	Maner
Ballard (Pike)	Gunter	McDuffie
Barton	Haley	McMillan
Benners	John	Parker
Burney	King	Pitts (Dallas)
Carmichael (Clay)	Lacy (Dallas)	Pitts (Perry)
Carmichael (Colbert)	Lacy (Walker)	Powell (Bullock)

Pratt	Seale	Urquhart
Price	Smith (Lee)	Weaver
Rice	Smith (Franklin)	White (Perry)
Rowe	Tunstall	Williams
Sample	Turner	Woolf

—45.

Nays:

Messrs:—

Cannon	Long (Butler)	Kagsdale
Baltzell	Middleton	Rushton
Elrod	Moore	White (Lamar)
Henley		

—10.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills having examined the following House bills beg leave to report the same correctly enrolled:

H. 136. To establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, and provide for fees, commissions, fines, forfeitures and juries in said court, provide for supplies for said court and repeal conflicting laws.

H. 483. To create an additional judge for the tenth judicial circuit of Alabama, and to provide for his election, jurisdiction, powers, authority and qualification, to render him liable to the pains and penalties of the other judge, and provide for the salaries of the judges of said circuit; to provide how the judges sitting in said circuit court in Jefferson county may hold court, and to regulate the holding of the circuit court in said county in the tenth circuit, the establishment of rules of procedure and practice therein, and the summoning, empaneling and swearing of jurors to serve in said court in said county, and to secure suitable rooms, furniture and supplies for said court in said county and the clerk thereof.

H. 750. To amend an act, entitled "An act, to amend an act approved February 15th, 1899, entitled an act to amend section 908 of the Code of 1896, and to fix the time of holding the circuit court in the tenth circuit of Alabama, composed of the counties of Winston, Walker and Jefferson," approved December 13, 1900, in so far as said act relates to time of holding the circuit court for Jefferson county.

H. 574. To establish a dispensary in and for the town of Clanton in the county of Chilton, State of Alabama, and to provide for the conduct and regulation of the same.

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker pro tempore of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the standing committee on Enrolled Bills.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill:

S. 188. To provide that under certain conditions an election may be held in the several counties in Alabama, each county acting by and for itself only, as to whether municipal corporations in such counties shall have authority to buy and sell spirituous, vinous and malt liquors; to provide that the voters at said election shall vote "for dispensary" or "against dispensary", to declare the result and effect of said election, to define the term "dispensary," as used in this act, to provide that in those counties in which, at the election aforesaid, a majority of the votes are cast "For Dispensary," the municipal corporations in said counties shall have authority to establish, maintain and operate dispensaries,

and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors; to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof, and to further regulate the sale of liquors in said counties; this act not being intended, however, to repeal or affect any law which prohibits the sale of liquors in any county or part of a county or to repeal or affect any law which authorizes municipal corporations to buy and sell liquors in any county or part of a county by and through dispensaries, or to repeal any local law authorizing the sale, without license, of wines made from grapes or berries grown in this State.

The question was upon the adoption of the substitute reported by the standing committee on Temperance, said substitute being as follows:

A BILL

To be entitled an act to provide that under certain conditions an election may be held in the several counties in Alabama, each county acting by and for itself only, as to whether municipal corporations in such counties shall have authority to buy and sell spirituous, vinous or malt liquors; to provide that the voters at said election shall vote "For Dispensary" or "Against Dispensary"; to declare the result and effect of said election; to define the term "dispensary", as used in this act; to provide that in those counties in which, at the election aforesaid, a majority of the votes are cast "For Dispensary", the municipal corporations in said counties shall have authority to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors; to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporations through their

dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; and to further regulate the sale of liquors in said counties—this act not being intended however, to repeal or affect any law which prohibits the sale of liquors in any county or part of a county, or to repeal or affect any law which authorizes municipal corporations to buy and sell liquors in any county or part of a county by and through dispensaries, or to repeal any local law authorizing the sale, without license, of wines made from grapes or berries grown in this State.

Section 1. Be it enacted by the Legislature of Alabama as follows, to-wit: One-fifth of the qualified voters of any county, as shown by the preceding registration, may file with the probate judge of their county a petition asking that an election be held in said county as to whether dispensaries shall be established in such county. Fifteen days after the filing of such petition the probate judge shall order an election to be held in said county on some Tuesday that shall not be less than forty nor more than sixty days subsequent to the day on which such order is made, nor within thirty days of the time of holding in said county any State or national, general or primary election. The probate judge shall furnish the sheriff with a copy of said order, and the sheriff shall give notice of said election by publication for twenty days in some newspaper of his county, or, if no newspaper is published in such county, by posting notices of such election in seven public places in said county.

Sec. 2. The probate judge, clerk of the circuit court and sheriff of the county in which an election is ordered under this act shall, within ten days after the election is so ordered, appoint three inspectors or managers, two clerks and one returning officer for each precinct, polling or voting place in said county to manage, conduct and make the returns of such election. Such managers and clerks so appointed shall as far as practicable

be equally divided between those who favor and those who oppose the establishment of dispensaries in such county for the sale of liquor. If county executive committees have been elected or appointed to conduct the canvass on either side, and if before appointment of inspectors and clerks the chairman of any such committee furnishes the probate judge, clerk of the circuit court, and sheriff of his county, which said three officers shall be a board of supervisors, with a list containing as far as practicable the names of three men for each precinct in said county, all of said men having the qualifications required by law of inspectors of elections when county officers are to be elected, then from said list the board of supervisors shall select for each precinct one man who shall be one of the managers for the precinct for which he was one of the men suggested. From the names suggested for the several precincts such board shall select one man as a clerk for the precinct for which he was suggested. }

Sec. 3. As soon as practicable after the appointment of such managers, clerks and returning officers for said election, the sheriff shall notify them in writing of their appointment.

Sec. 4. The probate judge shall prepare and provide the necessary ballots, poll lists, tally sheets, return sheets, instructions for holding the election, ballot boxes, voting booths, and other stationery or material necessary for the proper holding of the election, and it shall be the duty of the sheriff to see that the same are delivered to one of the managers of each election precinct or voting place before the day of election. On the ballots to be used at said election shall be written or printed the words, "For Dispensary," and under them the words "Against Dispensary." Electors who favor the dispensary system for the sale of liquors that is hereinafter set forth shall make on the ballot a cross mark before the words, "For Dispensary," and electors who oppose such system shall make on the ballot a cross mark before the words, "Against Dispensary." But no ballot or vote shall be rejected or the count thereof refused for failure to comply with this section, if the bal-

lot clearly shows or indicates the choice of the voter. Any person who sells or gives away in any county in which said election is held any liquors or intoxicating drinks of any kind or description on the day on which the aforesaid election is held, or on the day next preceding, shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

Sec. 5. Immediately after the polls are closed, the managers shall duly ascertain the result of the election at their respective voting places, and make due returns of the same to the probate judge of said county and deliver the ballot box containing the returns so made together with the ballots, poll lists, tally sheets and other necessary papers to the returning officer for such voting place, who shall deliver the same to the probate judge of such county at his office on the first day after the election.

Sec. 6. The probate judge, clerk of the circuit court, and sheriff, acting as a board of supervisors, shall in open session on the first Saturday after the election, canvass the returns so made and under oath make a written report or statement declaring the result of the election as to the entire county, showing the number of votes cast in each precinct "For Dispensary," and the number cast in each precinct "Against Dispensary." This report shall be filed at once in the office of the probate judge. In a newspaper published in his county, or, if there be no newspaper in such county, then by a notice posted at the door of the court house and in two other public places in his county, the probate judge shall make a proclamation stating the total vote of the county "For Dispensary" and the total vote of the county "Against Dispensary," and which side had a majority at such election, and the amount thereof. If a majority of the votes cast at such election were "For Dispensary," then in such proclamation the judge of probate shall state and declare that his county, giving its name, is and shall be a dispensary county under the dispensary local option act of 1907.

Sec. 7. Any manager, clerk, returning officer or other officer of said election who, without sufficient excuse, shall fail or refuse to perform any duty required of him under the provisions of this act or of the general election law shall be liable to a penalty of not less than twenty-five nor more than five hundred dollars to be recovered in a suit brought against him by the county in which the election was held. He shall also be guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five dollars.

Sec. 8. All men who in their several counties are qualified electors under the constitution and general election laws of this State at the time of the election herein provided for, and only such, shall be entitled to vote at any election held under the provisions of this act.

Sec. 9. It shall be the duty of the sheriff, deputy sheriff, or any constable to arrest without process any person who violates the provisions of this act, or the provisions and incidents of said election laws, and commit him to jail until he shall give bond, with good and sufficient sureties, to be approved by the sheriff, for his appearance at the next term of the circuit, county or city court having jurisdiction of the offense, to answer any indictment which may be found against him.

Sec. 10. A contest of the election held under this act in any county may be made by any qualified elector of the county by executing a bond, with two sufficient sureties, to be approved by the judge of probate of the county for the payment of the costs of the contest. Notice of the contest shall be served on the circuit solicitor of the county in which the contest is instituted. Upon the execution of a bond for costs signed by three or more qualified electors of such county, to be approved by the judge of probate of the county, said solicitor shall respond in the name of the county, and the county shall be contestee. Both in the lower and appellate courts said contest shall be a preferred case.

Sec. 11. All provisions and incidents of the election law of this State, including a contest, which pertain to the election of judges of probate shall be observed at

the election herein ordered, as far as the same are applicable and not out of harmony with the provisions of this act. In general, all elections held under this act shall be held and conducted, except where it is otherwise provided in this act, under the general election laws of this State, and the officers of election under the general election laws of this State shall discharge and perform the same duties and receive the same compensation as are required of them and is provided for them in the general election laws of this State. Such compensation and all costs of election shall be paid out of the county treasury of the county in which the election is held.

Sec. 12. Different elections in the same county may be held under this act. But when any election has been held under this act in any county, no other election shall be held in such county under this act within two years from the date of such election.

Sec. 13. All counties in which, at the election held under the provisions of this act, a majority of the votes were ascertained and declared to have been cast "For Dispensary," are designated in this act as "dispensary counties under the dispensary local option act of 1907."

Sec. 14. Each incorporated city or town in each of the "dispensary counties under the dispensary local option act of 1907," except the towns hereinafter described, shall have authority on and after the first day of January next succeeding the time of the election held under this act in the county in which such cities and towns are severally situated, to establish, maintain and operate in its corporate name, in its corporate capacity and through its legislative body, the business of buying and selling spirituous, vinous, and malt liquors, subject to the conditions and restrictions hereinafter mentioned. The places at which said business of buying and selling liquors is carried on shall be called a dispensary. The term "dispensary" in a general sense includes the place at which liquors are stored. But in this act the term when it refers to a particular place, refers to the place where liquors are sold. In each of said towns or cities which has a population of ten

thousand persons or less, there shall be one dispensary, and only one. In towns or cities that have a population greater than ten thousand, and not exceeding twenty thousand, there may be two dispensaries. In general, there may be in each city a dispensary for every ten thousand of its population. Cities whose population is over twenty thousand, and between multiples of ten thousand, may have a dispensary for every ten thousand of its population, and an additional dispensary for the excess of its population over the lower one of the said multiples. But no dispensary shall be established in a town that has less than three hundred inhabitants unless said town is a county site. The population of towns and cities shall be determined by the last preceding federal census. These dispensaries shall be established and carried on only within the corporate limits of such towns or cities. Each municipality that carries on such business shall invest in the business at the outset a sum of money not less than three hundred dollars, nor more than ten thousand dollars, for each dispensary it may establish and carry on. The liquors bought and sold, as herein provided, shall be of the purest and best quality.

Sec. 15. The office of purchasing agent for the dispensary is hereby created, and there shall be a purchasing agent for each dispensary that may be established. The first purchasing agent for a dispensary or dispensaries established in any county under this act shall be elected within three months after the judge of probate has made proclamation as above provided that his county is one of the dispensary counties under the dispensary local option act of 1907, and the term of office of said purchasing agent shall begin on the day on which the dispensary is to open and shall continue for two years. The term of their successors in office shall be two years. Purchasing agents shall not hold office for more than two terms in succession. But the filling of a vacancy shall not be considered as one of said successive terms. Under all events, however, such purchasing agent shall hold office until his successor is elected and qualified. The purchasing agent shall purchase

and deliver to his dispenser, the man who fills an office hereinafter created, all the liquors that are to be sold in the dispensary. The purchasing agent is authorized to employ a chemist to inspect and analyze any liquors which he contemplates purchasing, or has already purchased, and shall not deliver to the dispenser any liquor which the chemist has pronounced unsuitable for use. Said agent shall return such liquors to the person, firm or corporation from whom he bought them and make reclamation therefor if he has paid for the same. He may buy in bulk and have the liquors put in bottles. Whiskies, brandies and gin shall be put in bottles that hold only one pint, in bottles that hold only one-half pint, in bottles that hold only one-fourth of a pint, in bottles that hold only one-eighth of a pint, and in bottles that hold only one-sixteenth of a pint,—to the end that persons may be able to buy whiskies, brandies and gin in the small quantities above mentioned. But no whiskies, brandies or gin shall be put in bottles that hold more than one pint. The premises in which the bottling is done shall be different from those in which the dispensary is situated. But they shall be in the same town as the premises of the dispensary. The place where the liquors are received and bottled and from which they are sent to the dispensary shall be called the storage room. The storage room shall be a part of the dispensary. But when the term dispensary is used in this act to designate a particular place, it refers, unless the contrary is indicated by the context, to the place where liquor is sold, and not to the storage room. This storage room shall not be open and work shall not be done in the same between the hours of 6 p. m. of one day and 6 a. m. of the next day. The purchasing agent shall pay cash for all liquors purchased by him, by drawing his warrant on the dispenser, and the dispenser shall pay said warrant. The purchasing agent shall not sell or give away any liquor whatever. Each purchasing agent shall select and appoint each and every assistant, servant and employee that may be used in or about his work, and he shall be liable civilly for the acts and omissions of each of said assistants, employ-

es. The number of the purchasing agent's assistants, servants and employees, and the salaries and wages to be paid to each, shall be determined by the legislative body of the town or city in which the dispensary is located. Said salaries or wages shall be paid monthly on the last day of each month, and they shall be made known to the assistants, servants and employees before such assistants, servants and employees are engaged. Said salaries and wages shall in no way or manner whatever be made or permitted to depend upon the amount of the sales of the dispensary. The purchasing agent shall keep an accurate account of what he purchases and what he delivers to his dispenser. He shall fix the selling price of liquors, and when bottling liquors he shall put a label on each bottle which shall state the kind and price of the liquor it contains. The price shall be an amount not greater than fifty per cent. (50 per cent.) above the original cost or invoice price. He shall keep an accurate account of all liquors purchased by him and of all liquors delivered by him to his dispenser, and for all liquors so delivered he shall take a receipt from the dispenser. On the first day of each month the said purchasing agent shall make a report to the legislative body of his town or city on such forms and in such way and manner as said body may direct. All books, papers, accounts and records of the purchasing agent shall at all times be open to the inspection of the dispenser and of the legislative body of his town or city and of every member of said body, and of every citizen of the county. Under the provisions of this act, and under the ordinances, rules and regulations of the legislative body of the town or city in which the dispensary is located—which said ordinances rules and regulations shall in no wise be inconsistent with the provisions of this act—each purchasing agent shall manage and conduct the storage room of the dispensary for which he was elected and discharge the duties of his said office.

Sec. 16. If the purchasing agent personally takes or receives, directly or indirectly, any commission, percentage, rebate, gift, present or compensation of any

kind whatsoever, on account of his connection with his office, he shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one thousand dollars, and also be sentenced to hard labor for the county for not more than twelve months, —one or both at the discretion of the jury.

Sec. 17. The office of dispenser is hereby created, and there shall be a dispenser for each dispensary that may be established. The first dispensers shall be elected within three months after the aforesaid proclamation of the judge of probate, that his county is a dispensary county under the dispensary local option act of 1907. Their term of office shall begin on the first day of January next succeeding said proclamation, and shall continue two years. The term of their successors in office shall be two years. Dispensers shall not hold office for more than two terms in succession. But the filling of a vacancy shall not be considered one of said successive terms. Under all events each dispenser shall hold office until his successor is elected and qualified. Under the provisions of this act, and under the ordinances, rules and regulations of the legislative body of the town or city in which the dispensary is located—which said ordinances, rules and regulations shall in no wise be inconsistent with the provisions of this act—each dispenser shall manage and conduct the dispensary for which he was elected. Each dispenser shall select and appoint each and every assistant, servant and employee that may be used or employed in or about his dispensary, and he shall be liable civilly for the acts and omissions of each of said assistants, servants and employees. The number of the dispenser's assistants, servants and employees, and the salaries and wages to be paid to each, shall be determined by the legislative body of the town or city in which the dispensary is located. Said salary or wages shall be made known to the assistants, servants and employees before such assistants, servants and employees are engaged, and said salaries or wages shall be paid on the last day of each month for services rendered during that month. Such salaries and wages shall in no way or manner whatever be made, or per-

mitted to depend upon the amount of the sales of such dispensary.

Sec. 18. For the purpose of aiding, as hereinafter prescribed, in the selection of purchasing agents and dispensers, a meeting of the court of county commissioners of each county in whose towns or cities a dispensary is herein authorized to be established, shall be called whenever necessary. At any regular or called meeting of said court of county commissioners, that may be held within two months after the judge of probate has issued his proclamation declaring that his county was one of the aforesaid dispensary counties under the dispensary local option act of 1907, and at any regular or called meeting of said court that may be held between the last day of September of the year in which said proclamation was made, and the sixteenth day of December of that year, and at any regular or called meeting of said court that may be held between the last day of September and the sixteenth day of December every two years after said period of said last mentioned year, said court of county commissioners shall furnish to the mayor or other chief executive of those towns and cities in their respective counties in which dispensaries are herein authorized to be established, the names of three times as many men as the number of dispensaries which such towns and cities of their respective counties are severally authorized to establish, specifying the men who are nominated or assigned to each town or city in their county and stating that the men whose names are so furnished are the men from whom the legislative body of such towns and cities must select its dispenser or dispensers. These men shall be residents of the county by whose court of county commissioners they may be selected, shall be twenty-one years old, and shall be regarded as honest, temperate, law-abiding, and competent to manage and conduct a dispensary in said towns or cities. Before the first day of the first term of office, and before the first day of each succeeding term of office herein provided for, the legislative body of each of said towns and cities shall, from the names so nominated and furnished, elect a dispenser or dis-

dispensers for its town or city, assigning to each dispenser his dispensary. Said dispenser, under the direction and control of the legislative body of the town or city in which his dispensary is situated—so far as said direction and control are not inconsistent with the provisions of this act—shall sell liquors and manage and conduct the dispensary for a term of two years, and until his successor is elected and qualified. But he shall not interfere with the duties and privileges of the purchasing agent that are herein prescribed, or control him in such matters. Each town or city that has a dispensary shall provide its dispenser with whatever money, within the aforesaid limits, that it wishes to use in conducting the business. Before entering upon the duties of his office, each dispenser shall make affirmation before an officer authorized to administer oaths, that he will obey all laws of the State of Alabama, and of the town or city of which he is dispenser, relating to the sale, giving away, or delivery of liquors of any kind. He shall also, before beginning business, execute to his town or city a bond, conditioned for the honest and faithful discharge of his duty as such dispenser. Said bond shall be for the sum of three thousand dollars, shall have two sufficient sureties, and shall be approved by the mayor, or other chief executive of said town or city. Any person who may be injured by the failure of the dispenser to observe the provisions of this act or of any rule, ordinance or regulation of his town or city in reference to his dispensary may sue said dispenser on his said bond. For neglect of business, incompetency, misfeasance or malfeasance in office, a dispenser may be impeached by the legislative body of the town or city of which he is dispenser, and, for cause, to be judged of by said body, said dispenser may be removed from office. Whenever a vacancy in said office occurs in any town or city, from any cause whatever, the mayor, or other chief executive of such town or city, shall certify that fact to the judge of probate of the county in which said town or city is situated. Said mayor, or other chief executive, of such town or city may appoint a temporary dispenser until the vacancy shall be filled as herein pro-

vided. But such temporary dispenser shall in no event hold office longer than twenty days. Said judge shall immediately call a meeting of the court of county commissioners of his county, and said court shall nominate and furnish to said mayor, or other chief executive, the names of three men having the aforesaid qualifications for dispenser, and from these three names the legislative body of said town or city shall elect a dispenser to fill the vacancy.

Sec. 19. All the provisions of the foregoing section in reference to the mode of electing dispensers, the oath and qualifications of dispensers, the bond and liabilities of dispensers, the impeachment of dispensers, the filling of vacancies in the office of dispenser, and all other provisions of said section, unless the contrary is indicated by the context, or elsewhere in this act—shall, the names being changed, apply to and be observed in the case of purchasing agents.

Sec. 20. The legislative or governing body of the towns and cities in which dispensaries may hereafter be operated under this act shall pay to its purchasing agent or purchasing agents and to its dispenser or dispensers, a salary which shall be fixed by said body before the dispensers and purchasing agents are elected and shall not be changed during their term of office. The salaries of dispensers shall not be less than five hundred dollars nor more than twenty-five hundred dollars per annum, and shall be paid in equal monthly installments on the last day of each month. The salary of the purchasing agent shall be eighty per cent of that of the dispenser and shall be payable monthly on the last of each month. Said legislative body shall not make or permit the amount of the salary of the purchasing agent or the amount of the salary of the dispenser to depend in any way, or in any degree whatever, on the amount of sales that may be made by its dispenser or dispensers.

Sec. 21. The dispenser shall not sell, hand, or deliver liquors to the same person oftener than once in any one day whether the sale, handing or delivery be to such person on his own account or for his own use

and benefit, or on account of or for the use and benefit of some other person, or some firm or corporation. He shall not make any sale between the hours of 6 p. m. of one day and 6 a. m. of the next day.

Sec. 22. If the dispenser, or any of his assistants, servants or employees, sells, hands or delivers liquors of any kind to the same person oftener than once in any one day, or makes any sale of such liquors between the hours of 6 p. m. of one day and 6 a. m. of the next day, the person so selling, handing or delivering shall be guilty of a misdemeanor, and on conviction, shall be fined not less than ten nor more than one hundred dollars. Any person who purchases, or attempts to purchase, liquor from the dispenser oftener than once in any one day shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

Sec. 23. Said dispenser shall not himself drink, consume or give away liquor of any kind, or in any quantity, on the premises of his dispensary. Said dispenser shall not permit or suffer any assistant, servant, employee, purchaser, or any person whomsoever to drink, consume, or give away, any liquor on said premises. Said purchasing agent shall not himself drink, consume, or give away liquor of any kind, or in any quantity, on the premises of the storage room. Said purchasing agent shall not permit or suffer any assistant, servant, employee, or any person whomsoever to drink, consume, or give away any liquor on the premises of his storage room. But this section shall not be construed so as to prohibit the dispenser or purchasing agent, or some employee designated by the latter, from sampling liquors which the purchasing agent may contemplate purchasing. Said dispenser and said purchasing agent shall report to the grand jury any one whom they, or either of them, believes to be guilty of violating the provisions of this section.

Sec. 24. Any person who drinks or consumes any liquor on the premises of the dispensary or on the premises of the storage room, except the dispenser, the purchasing agent, or an employee of the purchasing agent

when they are sampling liquors, as permitted in section twenty-three (23) of this act, shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than one hundred dollars.

Sec. 25. The dispenser shall not keep in his dispensary any broken package of liquor. If any package should accidentally be broken, the contents shall at once be bottled and the bottle sealed. The dispenser shall not sell any spirituous, vinous or malt liquors that are not contained in sealed packages.

Sec. 26. The dispenser shall sell no liquors of any kind, except those he receives from the purchasing agent of his dispensary. He shall not sell on Sundays, or sell to minors or to persons of known intemperate habits. He shall not sell at one time more than one pint of whiskey, brandy, gin or of any two of these liquors, or of all of them together. He shall sell for cash only. He shall keep an accurate record of the amount of each day's sales. All books, papers, accounts and records of the dispenser shall at all times be open to the legislative body of his town or city and of every member thereof and of every citizen of the county. On the first day of each month each dispenser shall make to the legislative body of his town or city a complete statement of the assets and liabilities of his dispensary as they stood on the last day of the preceding month. Said report shall also state the average number of sales for each business day during the preceding month. Said report shall at once be published in a newspaper published in the dispenser's county. Such report shall be made on such forms, and under such directions, rules and regulations as the legislative body may prescribe. In said report the dispenser shall give full and accurate information as to the condition, expenses, profits, losses and status of his business. He shall give other and additional information, orally or in writing, whenever and as often as the legislative body of his town or city, or any member of said body may require.

Sec. 27. If the dispenser, or any of his assistants, servants or employees sells any liquors except those which the dispenser has received from the purchasing

agent of his dispensary, or sells any liquor on Sundays or sells to minors or to persons of known intemperate habits, or sells at any one time more than one pint of whiskey, brandy or gin, or of any two of these liquors or of all of them together, such dispenser, servant, or employee shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

Sec. 28. Subject to the provisions of this act, the legislative body of the towns and cities of dispensary counties under the dispensary local option act of 1907 may maintain and operate dispensaries, and regulate and control the management and conduct of the same.

Sec. 29. The dispenser shall buy furniture, fixtures, and appliances for his dispensary and for the storage room, pay all expenses of the dispensary, including those of the storage room, and take a voucher for all moneys disbursed. The expenses of the storage room shall be paid by the dispenser on warrants drawn on him by the purchasing agent. Unless instructed by the legislative body of his town or city not to keep the dispensary money in a bank the dispenser shall deposit the proceeds of each day's sales and all other dispensary money, if he has any, in some solvent bank. The dispensary money shall not be put on the dispenser's individual account in the bank, but to his credit as dispenser, and the dispensary money shall not be mixed with the dispenser's private funds. Only the dispenser is authorized to draw drafts or checks for dispensary money deposited in a bank. On the first day of each month, the dispenser shall pay to the treasurer of his town or sixty per cent. of the net profits of the dispensary for the month preceding, and the treasurer of his county forty per cent. of said net profits. The money so paid to the treasurer of the town or city shall be the exclusive property of such town or city, and may be used by the legislative body thereof in any way in which said body is authorized to spend the money of said town or city. The money that is so paid to the county treasurer shall be the exclusive property of such county, and may, in the discretion of the court of coun-

ty commissioners of said county, be used, in part, in giving pensions to such confederate veterans of their county as are entitled to receive pensions under the laws of the State. Money that is to be paid to confederate veterans shall be distributed under the direction of said county commissioners. But such distribution and payment shall be made, as far as practicable, in the same manner in which confederate pensions are distributed and paid by the State, except that State officers shall have nothing to do with the handling of such money. All of the county dispensary money, or so much of it as may not be used in paying pensions, as above provided, may be used in any way in which said court of county commissioners are authorized to spend county money. Said court of county commissioners is authorized to use said county dispensary money in any way said court may see fit in furthering the cause of education in the county whether such use be by donation or otherwise. The capital stock of dispensaries established and operated in any county under the provisions of this act, including furniture, fixtures and appliances, shall be and remain the exclusive property of the several towns and cities in which the dispensaries are respectively established.

Sec. 30. No person shall drink any liquor within fifty yards of the premises of the dispensary, unless he drinks it on his own premises lying within such fifty yards. No one who lives or does business on premises that are within fifty yards of a dispensary shall permit any person, not a member or guest of his family, to drink or consume any liquor on his said premises. Any one who purchases or furnishes or aids in purchasing or furnishing the liquor which he drinks on premises within the fifty yards above described in this section, shall not be considered a guest within the meaning of this section. Any person who violates the provisions of this section shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than one dollar and not more than ten dollars.

Sec. 31. No spirituous, vinous or malt liquors, or intoxicating drinks or beverages of any kind shall be sold

in any one of the dispensary counties under the dispensary local option act of 1907, except by and through dispensaries herein provided for. But nothing in this act shall be so construed as to prevent any person who manufactures spirituous, vinous or malt liquors in a brewery or distillery from selling the same by wholesale, in sealed packages, to dispensers or those liquor dealers who do business in counties in which they may be authorized to do business. Any person who violates the provisions of this section shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than twenty and not more than one hundred dollars.

Sec. 32. The dispensaries established under this act shall be located in a public and convenient place. No gates, doors, windows, or opening of any kind shall connect and dispensary with any adjacent house or lot so as to permit ingress into or egress out of such house or lot from or into the dispensary. No blinds or screens shall be set up or used in such dispensaries. No gaming or loitering shall be allowed in said dispensary. Throughout the night a light or lights shall be kept burning in the dispensary, persons on the outside of the dispensary from seeing inside thereof. The provisions of this section in reference to dispensaries shall apply to and be observed in the case of storage rooms.

Sec. 33. The term "legislative body" where is appears in this act, is intended to mean or designate the law-making body of the towns or cities herein referred to, whether said body is called the mayor and aldermen, board of mayor and aldermen, council, town council, city council, intendent and town council or by some other name. The term court of county commissioners, as used in this act, is intended to include the terms board of revenue, board of public revenue, board of revenue and road commissioners, or any other term or designation by which the official body whose duties are the same as those of the court of county commissioners, or similar thereto, may be called.

Sec. 34. This act is not intended and shall not be construed, to repeal or affect the operation of any law existing at the time of the election herein provided for

which prohibits the sale of liquors, or to repeal or affect the operation of any law existing at the time of said election which provides for the purchase and sale of liquors by municipal corporations in or through dispensaries, or to repeal any law existing at the time of such election which authorizes the sale, without license, of wines manufactured from grapes or berries grown in this State. All other laws and parts of laws that conflict with the provisions of this act are hereby repealed.

Mr. Sample moved that the bill, S. 188, and pending amendment be indefinitely postponed, and the motion to indefinitely postpone was lost.

And the substitute, reported by the standing committee on Temperance, was adopted.

Yeas, 62; nays, 10.

Yeas:

Messrs:—

Armstrong	Killen	Pugh
Ballard (Autauga)	King	Ragsdale
Ballard (Pike)	Kirby	Rattray
Baltzell	Lacy (Walker)	Rice
Barton	Lawson	Rushton
Benners	Lee (Etowah)	Sample
Bulger	Lee (Houston)	Sherrod
Burney	Lindsey	Smith (Elmore)
Carmichael (Clay)	Long (Morgan)	Smith (Lee)
Carmichael (Colbert)	Maner	Smith (Etowah)
Coleman (Lowndes)	Middleton	Smith (Franklin)
Coleman (Marshall)	Moore	Steagall
Cooper	McCrory	Thompson
Cranford	McDuffie	Tunstall
Doyle (Clark)	McMillan	Urquhart
Edwards	Parker	Vann
Gunter	Pearson	Weaver
Haley	Pitts (Perry)	White (Lamar)
Henley	Powell (Bullock)	Williams
John	Power	Woelf
Johnson	Pratt	

Nays:

Messrs:—

Cannon	Hoffman	Price
Dudley	Hughston	Sanders
Fuller	Long (Butler)	White (Perry)
Glover		

—10.

And the bill:

S. 188. To provide that under certain conditions an election may be held in the several counties in Alabama, each county acting by and for itself only, as to whether municipal corporations in such counties shall have authority to buy and sell, spirituous, vinous and malt liquors; to provide that the voters at said election shall vote for dispensary or against dispensary, to declare the result and effect of said election, to define the term dispensary, as used in this act, to provide that in those counties in which, at the election aforesaid, a majority of the votes are cast "For Dispensary" the municipal corporations in said counties shall have authority to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors; to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporations through their dispensaries, to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof, and to further regulate the sale of liquors in said counties; this act not being intended, however, to repeal or affect any law which prohibits the sale of liquors in any county or part of a county, or to repeal or affect any law which authorizes municipal corporations to buy and sell liquors in any county or part of a county by and through dispensaries, or to repeal any local law authorizing the sale, without license of wines made from grapes or berries grown in this State.

As amended by the substitute reported by the standing committee on Temperance, was read a third time, at length, and passed.

Yeas, 57; nays, 14.

Yeas:

Messrs:—

Armstrong	John	Pratt
Ballard (Autauga)	Johnson	Ragsdale
Ballard (Pike)	King	Rattray
Baltzell	Kirby	Rice
Barton	Lacy (Walker)	Rowe
Benners	Lawson	Rushton
Bloch	Lee (Etowah)	Sample
Burney	Lee (Houston)	Sanford
Carmichael (Clay)	Lindsey	Sherrod
Carmichael (Colbert)	Long (Morgan)	Smith (Lee)
Coleman (Lowndes)	Maner	Smith (Etowah)
Cooper	Middleton	Smith (Franklin)
Cranford	Moore	Steagall
Doyle (Clark)	McCrory	Tunstall
Edwards	McMillan	Urquhart
Goodwyn	Pearson	Vann
Gunter	Pitts (Perry)	Weaver
Fenley	Powell (Bullock)	Williams
Jenkins	Power	Woolf

—57.

Nays:

Messrs:—

Cannon	Glover	Price
Coleman (Marshall)	Hughston	Sanders
Dudley	Killen	White (Lamar)
Elrod	Long (Butler)	White (Perry)
Fuller	Parker	

—14.

RECONSIDERATION.

Mr. Sample moved to reconsider the vote by which the bill, S. 188, was passed, and under the rules the motion goes over until Monday morning for consideration.

The House proceeded to the consideration of the following Senate joint resolution, the consideration of which was on yesterday on motion of Mr. Tunstall postponed until this morning:

Whereas, it has been charged in the public press of this State, and by many merchants, that there exists a

combination or trust among and between the manufacturers of guano and fertilizer in this State, and

Whereas, it is charged that said combination or trust does in violation of law fix the price of guano and fertilizer, and limit the quantity of the same offered for sale, and

Whereas, it is further charged that the guano and fertilizer sold by said trust or combination of guano and fertilizer, manufacturers contains a large per cent of cheap material that has no beneficial effect on the soil, and does not increase its productiveness, and

Whereas, the farmers of Alabama have a great financial interest in the price of guano and fertilizer, and in the purity of the same offered for sale,

Now therefore, be it resolved, by the Senate, the House concurring that a joint committee of both Houses be appointed to consist of two from the Senate, and three from the House, to investigate said charges.

Be it further resolved, that said committee shall have power to summon witnesses before it and compel their attendance by compulsory proceeds and administer oaths, and shall have power to require any person, firm or corporation engaged in the manufacture or sale of guano and fertilizer, to produce his or its books before said committee and give evidence before said committee as to any matters of which he has acknowledged as to the subject to be investigated.

Be it further resolved, that said committee shall have authority to sit during any recess of this legislature, and shall make a general investigation of the sale of guano and fertilizer tags, and shall investigate who pays the tag tax, and whether or not there is any abuse of the law, requiring analysis of guano and fertilizer and tagging the same.

Be it further resolved, that the attorney general shall assist the committee in making the investigations provided for in this resolution.

Be it further resolved, that said committee may employ a stenographer to take and transcribe all evidence taken by it, and shall at the conclusion of its work re-

port to the legislature the testimony taken, with the conclusion and recommendation of said committee.

Be it further resolved, that said committee shall receive four dollars per day while in actual service, and be paid mileage as members of the legislature are paid and are to be paid in same way and manner, as the members of the legislature are paid and if they employ a stenographer, said stenographer shall be paid by the State.

Mr. Bulger offered the following amendment to the resolution: Amend by adding at the end of the resolution the following: And it shall be the duty of said committee to draw and report a bill that will correct the evil that now exists.

And the amendment offered by Mr. Bulger was adopted. And the resolution as amended by the amendment of Mr. Bulger was adopted.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill:

S. 12. To define, prohibit and punish aiding and abetting or counseling or procuring an unlawful sale, purchase, gift or other unlawful disposition of spirituous, vinous or malt liquors, or other liquors prohibited by law from being sold, given or otherwise disposed of.

Mr. Fuller offered the following amendment to the bill, S. 12:

"Amend by adding before the word must in line 6 of section 1, the following: 'or delivers as agent or as common carrier or otherwise in a prohibition district.'"

On motion of Mr. Tunstall the amendment offered by Mr. Fuller was laid upon the table.

And the bill:

S. 12. To define, prohibit and punish aiding and abetting or counseling or procuring an unlawful sale, purchase, gift or other unlawful disposition of spirit-

uous, vinous or malt liquors, or other liquors prohibited by law from being sold, given or otherwise disposed of.

Was read a third time at length and passed.

Yeas, 71; nays, 3.

Yeas:

Messrs:—

Armstrong	Hoffman	Power
Arnold	Hughston	Ragsdale
Ballard (Autauga)	Jenkins	Rice
Ballard (Pike)	John	Rowe
Baltzell	Johnson	Rushton
Barton	Killen	Sample
Benners	Kirby	Sanders
Bulger	Lacy (Dallas)	Sanford
Burney	Lacy (Walker)	Seale
Cannon	Lee (Etowah)	Sherrod
Carmichael (Clay)	Lee (Houston)	Smith (Elmore)
Carmichael (Colbert)	Lindsey	Smith (Lee)
Coleman (Lowndes)	Long (Morgan)	Smith (Franklin)
Coleman (Marshall)	Lovelady	Steagall
Cooper	Lyons	Tunstall
Cranford	Maner	Turner
Edwards	Middleton	Urquhart
Elrod	Mitchell	Vann
Fuller	McDuffie	Weaver
Glover	McMillan	White (Lamar)
Goodwyn	Oliver	White (Perry)
Gunter	Parker	Williams
Haley	Pitts (Perry)	Woolf
Henley	Powell (Bullock)	

—71.

Messrs:—

Bloch	Long (Butler)	Pitts (Dallas)
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—3.

Mr. Tunstall moved to reconsider the vote by which the bill, S. 12, was passed, and then moved to indefinitely postpone the motion to reconsider; and the motion to indefinitely postpone prevailed.

RESOLUTIONS.

The following resolutions were introduced:

By Mr. John:

H. R. 202. Resolved, that S. bill 372, To establish police commissions in cities of 35,000 population or more, in counties of 100,000 or more population and to define their terms of office, duties and powers, be made a continuing, paramount, special order for March 4, 1907, immediately after the approval of the Journal.

And the resolution was referred to the committee on Rules.

By Mr. John:

H. J. R. 203. Resolved by the Legislature of Alabama, that the expenses of the joint committees to visit the Alabama Industrial School near Birmingham, and Soldiers' Home at Mountain Creek, be paid out of the appropriation for legislative expenses, not exceeding seventy-five dollars in all.

And the resolution was referred to the committee on Rules.

BILLS ON SECOND READING.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 156. To amend section 1009 of the Code of Alabama, 1896. (Relates to conveyances of personality securing debts and effect of failure to record.)

S. 281. To amend section 2561 of the Code, relating to the improvement of navigable streams by the court of county commissioners, and conferring the power of eminent domain therefor.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 863. To establish a normal school for education of white male and female teachers at Moundville, Hale county, Alabama.

S. 122. For the additional relief of needy confederate soldiers and sailors, who are resident citizens of the State of Alabama, and their widows, by the appropriation of such sums out of the funds in the State treasury not otherwise appropriated as may be necessary to pay pensioners of the first class, one hundred dollars, per annum; of the second class, eighty dollars, per annum; of the third class, sixty-four dollars per annum; and of the fourth class, fifty dollars per annum, each, for the fiscal years beginning on the first day of October, 1907, on the first day of October, 1908, on the first day of October, 1909, and on the first day of October, 1910, and to fix the time of paying the same.

S. 123. To amend section 12 of an act entitled an act for the relief of needy Confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved the 10th day of February, 1899.

Mr. Urquhart, acting chairman of the standing committee on Municipal Organization, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 358. To provide for the extension of the corporate limits of cities and towns having one thousand inhabitants or more, and fixing the rights, powers, duties, liabilities, and jurisdictions of the city or town over the territory brought into the corporate limits, and the rights of the inhabitants thereof, and to provide for the apportionment between the city or town and county of the road and bridge tax collected by the county on the property within the city, and the expenditure of the funds by the city.

H. 129. To repeal an act entitled an act to establish a board of police commissioners for the city of Bessemer, Alabama, to provide for the appointment of such commissioners, to define their powers and duties and to

regulate the police department of the city, approved March 3rd, 1903.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment:

S. 372. To establish police commission in cities of 35,000 population, or more, in counties of 125,000 or more, and to define their terms of office, duties and powers.

Mr. Ragsdale, chairman of the standing committee on Public Health, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

S. 132. To provide for the sale of certain narcotic drugs.

The above and foregoing bills were severally read a second time, and placed on the calendar.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Ratray:

H. 872. To provide for the establishment of high schools in this State, and to make appropriations for said schools.

Education.

By Mr. Haley:

H. 873. To provide for the purchase, by the State of Alabama, of certain reprinted volumes of the reports of the decisions of the supreme court of Alabama.

Judiciary.

By Mr. Lacy, of Walker, (with notice and proof) :

H. 874. To provide for and regulate the compensation to be paid teachers in the public schools of Walker county, Alabama.

Education.

Notice and proof H. 874.

NOTICE.

Notice is hereby given that at the present session of the Legislature of Alabama application will be made for the passage of an act providing substantially as follows:

A BILL

To be entitled an act to provide for and regulate the compensation to be paid teachers in the public schools of Walker county, Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That the compensation to be paid teachers in the public schools of Walker county, Alabama, shall be fixed by the board of education of said county, except that as provided in section two hereof, teachers holding first grade certificates shall not be paid more than sixty dollars per month out of the school fund of said county, that teachers holding a second grade certificate shall not be paid more than forty-five dollars per month out of the public school fund, and teachers holding third grade certificates shall not be paid more than thirty dollars per month out of the public school fund.

Sec. 2. That the county board of education may make contracts with teachers to pay them in addition to the salaries provided for in section one hereof an amount not to exceed the rate of fifty cents per month for each child while in actual attendance at school.

Sec. 3. That before teachers shall be paid the salaries and compensation hereinabove provided for, they shall file with the superintendent of education of said county, a report in writing, setting forth the number of days he has taught school, during the month or quarter,

the daily average attendance of scholars during such time, the number, age and name of scholars enrolled, and the number of days attended by each scholar during each month of the term for which payment is to be made, which report shall be sworn to and subscribed by the teacher making the same.

Sec. 4. That any teacher who willfully makes a false report as to any of the matter required in section 3 hereof, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than fifty nor more than five hundred dollars, and shall forfeit his contract and his license shall be cancelled.

R. A. O'Rear.

The State of Alabama, }
Walker County. }

Before me, C. L. Norvell, a notary public in and for said county and State, personally appeared W. R. Richardson, who being by me duly sworn, deposes and says, that he is the manager of The Mountain Eagle, a weekly newspaper published in said Walker county, Alabama, that he has personal knowledge that the attached notice to "provide for and regulate the compensation to be paid teachers in the public schools of Walker county, Alabama," has been published in said Mountain Eagle for four consecutive weeks, commencing the 9th day of January, 1907.

W. R. Richardson,
Manager.

Sworn to and subscribed before me this 27th day of February, 1907.

C. L. Norvell,
Notary Public.

By Mr. Lacy, of Walker, (with notice and proof) :

H. 875. For the relief of J. W. Swindle, Jas. Morris, W. R. Blackwell, R. J. Green, J. K. P. Manasco, J. H. Weems, John O'Rear, W. C. Atkins, U. R. Self, Jacob Stricklan, John S. Jenkins, F. M. Hyche, J. W. McDaniel, and R. T. Knight, ex-confederate soldiers, all resident citizens of Alabama.

Appropriations.

Notice and Proof. H. 875.

NOTICE.

Notice is hereby given that a bill will be introduced for passage at the present session of the Legislature of Alabama in substance as follows:

A BILL

For the relief of J. W. Swindle, Jas. Morris, W. R. Blackwell, R. J. Green, J. K. P. Manasco, J. H. Weems, John O'Rear, W. C. Atkins, U. R. Self, Jacob Strickland, John S. Jenkins, F. M. Hyche, J. W. McDaniel and R. T. Knight, ex-confederate soldiers, all resident citizens of Walker county, Alabama.

Section 1. Whereas, J. W. Swindle, James Morris, W. R. Blackwell, R. J. Green, J. K. P. Manasco, J. H. Weems, John O'Rear, W. C. Atkins, U. R. Self, Jacob Strickland, John S. Jenkins, F. M. Hyche, J. W. McDaniel and R. T. Knight, have made application to the probate judge of Walker county, Alabama, for a pension for the year 1906, in accordance with a bill passed by the Legislature of Alabama, and approved September 25, 1903, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows. And, whereas, said applications have been passed upon by the county board of examiners for Walker county, Alabama, and have been passed upon and reported favorably by said board, and whereas the State board of examiners have refused to grant said applications, and have turned said applications down and not given any reason therefor; now, therefore,

Be it enacted by the Legislature of Alabama, That the State auditor is hereby required and directed to place the names of J. W. Swindle, James Morris, W. R. Blackwell, R. J. Green, J. K. P. Manasco, J. H. Weems, John O'Rear, W. C. Atkins, U. R. Self, Jacob Strickland, John S. Jenkins, F. M. Hyche, J. W. McDaniel and R. T. Knight, upon the pension rolls for needy confederate

soldiers and sailors, resident citizens of Alabama, and their widows, and draw warrants on the State treasurer in favor of each of the above named parties for their pro rata share of the pension fund for the benefit of ex-confederate soldiers for the year 1906, to be paid out of any unexpended money belonging to said funds, and he is further required to place their names upon the pension roll for 1906.

Sec. 2. That all laws and parts of laws in conflict with the provisions of this act be, and the same is hereby repealed.

The State of Alabama, }
Walker County. }

Before me, R. Bates, a justice of the peace in and for said county in said State, personally appeared J. R. Gunter, who being me first duly sworn upon oath—says that he is editor of the Mountain Eagle, a newspaper published in Walker county, Alabama, that he has personal knowledge that the attached notice of an intention to introduce a bill at the present session of the Legislature of Alabama for the relief of J. W. Swindle, James Morris, W. R. Blackwell, R. J. Green, J. K. P. Manasco, J. H. Weems, John O'Rear, W. C. Atkins, U. R. Self, Jacob Strickland, John S. Jenkins, F. M. Hyche, J. W. McDaniel, and R. T. Knight, ex-confederate soldiers, was published in said Mountain Eagle once a week for four consecutive weeks, commencing on the 23d day of January, 1907.

J. R. Gunter.

Sworn to and subscribed before me this 28th day of February, 1907.

R. Bates,

Justice of the Peace.

By Mr. Moore, (with notice and proof) :

H. 876. To divide St. Clair county into two chancery districts, to provide for holding court therein, to authorize the appointment of a register for each of said districts, and to prescribe his duties.

Judiciary.

Notice and Proof. H. 876.

NOTICE.

The State of Alabama, }
 County of St. Clair. }

To whom it may concern:

Take notice that the undersigned will cause to be introduced in the next Legislature of Alabama, a bill affecting the interests of the people of St. Clair county, and the substance of the proposed law as follows:

AN ACT

To divide St. Clair county into two chancery districts, to provide for holding court therein, to authorize the appointment of a register for each of said districts, and to prescribe his duties.

Sec. 1. Be it enacted by the Legislature of Alabama, That the territory lying within precincts numbers 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20 and 21 of St. Clair county shall constitute and shall be known and called the southern chancery district of St. Clair county and the territory embraced in the remaining precincts of St. Clair county as now constituted and laid off, and not embraced in the precincts hereinbefore named, shall constitute, and be known and called the northern chancery district of St. Clair county, and the said chancery district shall be a part of the northeastern chancery division of Alabama.

Sec. 2. That there shall be held each year two terms of chancery court for said northern chancery district of St. Clair county at Ashville in the court house of said county at the times now provided by law for the holding of the chancery court of said county, and at each term may continue three days; that there shall be held each year two terms of chancery court for said southern chancery district of St. Clair county at Pell City in the building provided by the court of county commissioners of said county as follows: . On the fourth Monday in

~~February and August, and at each term may continue three days.~~

Sec. 3. That special term of chancery court may be held for each of said chancery districts in the manner now provided by law for holding special terms of the chancery court in this State.

Sec. 4. That the chancellor of the northeastern chancery division of Alabama shall appoint a register for each of said chancery districts, who shall hold office during the term of such chancellor, and who shall perform the same duties as are required by law of registers in chancery in this State.

Sec. 5. That all suits and proceedings now pending in the chancery court of St. Clair county which might after the passage of this act be brought in the southern chancery district of St. Clair county, may be transferred by consent of all parties to the said southern chancery district of St. Clair, as constituted by this act, and there disposed of in the same manner and with like effect as if the same had been instituted therein, and except as above provided, all suits and proceedings pending in the chancery court of St. Clair county holding at Ashville shall there remain and be disposed of by the chancery court of the northern district of St. Clair county.

Sec. 6. That the court of county commissioners of St. Clair county shall, at the expense of said county furnish to the said registers in chancery all needful books, papers, furniture and equipment for holding said court in both of said districts and for keeping a record of the minutes and proceedings thereof and of the causes pending therein, and such records, books and papers shall be open to the free inspection of all persons at all reasonable hours.

J. L. North,
F. R. Mathews,
Victor H. Smith,
McLane Tilton, Jr.

The State of Alabama, }
St. Clair County. }

Personally appeared before me, Victor H. Smith, a notary public in and for said county and State, Bays D.

Cather, who is known to me, and who being first by me duly sworn, on oath says: That he is editor and publisher of the St. Clair Herald and Coosa Valleyen, that it is a newspaper published once a week in the town of Pell City, in said State and county; and that he has knowledge of the facts herein deposed to; that the attached notice of a proposed bill to divide St. Clair county into two chancery districts, to provide for the holding courts therein, to authorize the appointment of a register for each of said districts, and to prescribe his duties, was published once a week in said newspaper for four consecutive weeks, commencing with the issue of December 20th, 1906, and including the issue of January 10th, 1907, of said newspaper, and before the making of this affidavit.

Bays D. Cather.

Sworn to and subscribed before me this the 25th day of February, 1907.

Victor H. Smith,

Notary Public.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 614. To make subject to taxation in this State money lent, solvent credits and credits of value and moneyed capital.

H. 623. To amend section 2584 of the Code of 1896.

H. 639. To amend section 2 of an act "To establish a charter for the town of Ashland, Clay county, Alabama.

H. 709. To authorize the town of Haleysville, in Winston county, to establish and operate a dispensary for the purpose of buying and selling spirituous, vinous and malt liquors within its corporate limits, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors within said town.

And returns same herewith to the House.

And has amended, as therein shown, and as amended has passed the following House bills:

H. 243. To enlarge the insurance laws of the State.

H. 818. To appropriate funds to be expended by the State board of health for the protection and promotion of the health of the people of the State.

H. 611. To further provide for the revenue of the State, by requiring all foreign corporations authorized to do business in this State under the laws of the State of Alabama, to pay an annual franchise tax.

H. 373. To provide for an election by the qualified electors of Tuscaloosa county to determine whether the sale, barter, exchange, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition, to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters and proprietary medicines and to prohibit the shipping into said county by any common carrier and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts.

And herewith returns the same to the House.

And has originated and passed the following bill:

S. 309. To provide for the protection, custody and maintenance of minor children under fourteen years of age whose parents or guardians are morally unfit.

And sends same to the House.

And has concurred in the House amendment to the bill, Senate 230.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Rushton, the House non concurred in the Senate amendment to the bill, H. 243, said Senate amendment being as follows:

Amend section 1 by adding at the end of said section the following:

"And provided further, that such companies or associations shall not have power to issue policies, or make contracts of insurance until same shall have filed with the State Insurance Commissioner a certified copy of its articles of incorporation, accompanied by a statement in due form, showing the place where is located its principal office and a list of the names and post office addresses of at least twenty-five bona fide subscribers to membership in such corporation or association, no one of which shall be worth less than one thousand dollars in taxable property, and shall have been regularly licensed by the State insurance commissioner, to enter on such business.

Amend section 2 by striking out the words "twenty-five hundred" where they occur in said section, and insert in lieu thereof the words "ten thousand."

Amend section 2 further, by striking out the words "in addition to legal fees" in line 7.

Amend section 2 further, by striking out the word "one" in line 8 and insert in lieu thereof the word "two."

Amend section 2 further, by striking out the words "This requirement shall apply alone to mutual associations" found in lines 9 and 10 and add the following:

"And shall pay to the Insurance Commissioner in advance license fee of twenty dollars annually as a privilege tax for doing business."

Amend section 3 by striking out the words "That all laws in conflict with the provisions of this act are hereby repealed" and add the following:

"That every such company or association shall on or before the first day of March of each year file with the Insurance Commissioner a report of its operations during the preceding calendar year, including the number of existing policy holders, the aggregate amount of out-

standing policies, the total amount of expenditures and receipts, and the aggregate amount of the assets of the company or association, and shall pay to the Insurance Commissioner, a tax of one per cent. on net premiums received in this State during the preceding calendar year, meaning gross premiums, less return premiums, provided that any company paying to the State a tax on its property or shares, may deduct such amount so paid from the one per cent. tax herein provided."

Amend by adding section 4.

"Any company or association failing or refusing to make such report, and pay such taxes as provided by this act shall not be licensed by the Insurance Commissioner, and any company or association issuing certificates, or policies without such license, may be enjoined by the Insurance Commissioner, or by any citizen in a court of competent jurisdiction, from issuing certificates or policies, and upon such injunction being made permanent, any officer or agent of such company or association, upon conviction of issuing, or pretending to issue any such certificates or policy thereafter shall be fined not less than ten, nor more than one hundred dollars, or may be imprisoned not less than ten nor more than one hundred days for each such offense, or both at the discretion of the court.

On motion of Mr. Lyons, the House concurred in the Senate amendment to the bill, H. 818, said Senate amendment being as follows:

Amend section eight by striking out the following words where they occur in said section, to-wit: by the members of the State board of health," and inserting in lieu thereof the following words: "under the direction of the State board of health.

Yeas, 60; nays, 2.

Yeas:

Messrs:—

Ballard (Autauga)

Benners

Carmichael (Clay)

Ballard (Pike)

Bulger

Carmichael (Colbert)

Baltzell

Burney

Coleman (Lowndes)

Barton

Cannon

Coleman (Marshall)

Cooper	Lee (Etowah)	Ragsdale
Cranford	Lee (Houston)	Rice
Dudley	Lindsey	Rowe
Edwards	Long (Butler)	Rushton
Haley	Long (Morgan)	Sanders
Henley	Lovelady	Sanford
Hoffman	Lyons	Sherrod
Jenkins	Maner	Smith (Franklin)
John	Mitchell	Steagall
Johnson	McMillan	Tunstall
Killen	Norville	Turner
King	Parker	Vann
Kirby	Pearson	Weaver
Lacy (Dallas)	Powell (Bullock)	White (Lamar)
Lacy (Walker)	Power	Williams
Lawson	Pratt	Woolf

—60.

Nays:

Messrs:—

Pitts (Perry)

White (Perry)

—2.

On motion of Mr. Maner, the House concurred in the Senate amendment to the bill, H. 611, said Senate amendment being as follows:

“Provided foreign corporations whose principal or sole business is the lending of money, shall not be required to pay more than 1-50 of one per centum upon the amount of capital employed in the State by it.”

Yeas, 53; nays, 2.

Yeas:

Messrs:—

Alford	Carmichael (Colbert)	John
Ballard (Autauga)	Coleman (Marshall)	Johnson
Ballard (Pike)	Cooper	Killen
Baltzell	Cranford	King
Barton	Dudley	Lacy (Dallas)
Benners	Edwards	Lacy (Walker)
Bulger	Fuller	Lawson
Burney	Goodwyn	Lee (Etowah)
Carmichael (Clay)	Jenkins	Long (Butler)

Long (Morgan)	Powell (Bullock)	Smith (Elmore)
Lovelady	Pcwer	Smith (Franklin)
Maner	Pratt	Tunstall
Mitchell	Ragsdale	Turner
McMillan	Rice	Vann
Norville	Rowe	Weaver
Parker	Rushton	White (Lamar)
Pearson	Sanders	Woolf
Pitts (Perry)	Sherrod	

—53.

Nays:

Messrs:—

Cannon

White (Perry)

—2.

On motion of Mr. Rice, the House concurred in the Senate amendment to the bill, H. 373, said Senate amendment being as follows:

Amend the bill by erasing the words: "Be it enacted by the Legislature of Alabama that whenever twenty or more resident householders and freeholders of Tuscaloosa county," where said words occur in the first section of the bill, and insert in lieu thereof the words: "Be it enacted by the Legislature of Alabama, that whenever five hundred of the qualified electors of Tuscaloosa county." 2 Amend the first section of the bill by erasing the word "paraying" where it occurs in said section and by inserting in lieu thereof, the word "praying."

Yeas, 61; nays, 0.

Yeas:

Messrs:—

Alford	Cannon	Edwards
Ballard (Autauga)	Carmichael (Clay)	Elrod
Ballard (Pike)	Carmichael (Colbert)	Fuller
Baltzell	Coleman (Marshall)	Glover
Barton	Cooper	Goodwyn
Benners	Cranford	Gunter
Bloch	Crum	Haley
Bulger	Doyle (Clark)	Henley
Burney	Dudley	Hughston

Jenkins	Lovelady	Rice
John	Maner	Rowe
Johnson	Mitchell	Rushton
Killen	Moore	Sanford
King	McMillan	Sherrod
Lacy (Dallas)	Norville	Smith (Franklin)
Lacy (Walker)	Parker	Tunstall
Lawson	Pearson	Turner
Lee (Etowah)	Pitts (Perry)	Weaver
Lindsey	Powell (Bullock)	White (Lamar)
Long (Butler)	Power	Woolf
Long (Morgan)		

—61.

And the bill, S. 309, the title to which is set out in the above and foregoing Senate message, was read one time and referred to appropriate standing committee as follows:

Judiciary, S. 309.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate insists on its amendments to House bill No. 333:

H. 333. To make an appropriation for the expenses of encampment of the Alabama National Guard for the years 1907, 1908, 1909, 1910.

And asks for a second committee of conference. Committee on part of the Senate, Messrs. Hamburger and Teasley.

And returns said bill herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. John, the House acceded to the request of the Senate in the 2nd committee of conference to the bill, H. 333, and the Speaker pro tempore appointed on part of the House Messrs. Goodwyn, Woolf and Rice.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended, as therein shown, and as amended has passed the following House bill:

H. 237. To establish a normal school for the education of white male and female teachers at Daphne, in Baldwin county, Alabama.

And has passed:

H. 238. To authorize the commissioners' court of Baldwin county to surrender and convey the county buildings and grounds at Daphne to the trustees of a normal school to be established in said county.

H. 612. To amend an act entitled an act to regulate the collection of the poll taxes in the State of Alabama, approved February 12, 1903.

And returns same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Jenkins, the House concurred in the Senate amendment to the bill, H. 237, said Senate amendment being as follows:

Senate amendments to H. 237: Amend section 14 by adding the following words: By executing a deed in fee simple and procuring in cash or contracts and agreements of solvent parties satisfactory to the governor for the donation to said school without reservation of ten thousand dollars."

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Alford	Cannon	Edwards
Ballard (Autauga)	Carmichael (Clay)	Fuller
Baltzell	Carmichael (Colbert)	Glover
Barton	Coleman (Lowndes)	Goodwyn
Benners	Coleman (Marshall)	Haley
Bloch	Cooper	Jenkins
Bulger	Cranford	John
Burney	Dudley	Johnson

King	Pearson	Sanford
Kirby	Pitts (Perry)	Seale
Lawson	Power	Sherrod
Lee (Houston)	Pratt	Smith (Franklin)
Lovelady	Ragsdale	Tunstall
Lyons	Rice	Turner
Maner	Rowe	Urquhart
Mitchell	Rushton	White (Lamar)
McMillan	Sample	White (Perry)
Norville	Sanders	Woolf
Parker		

—55.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following bills, your signature thereto is requested:

S. 17. To provide the manner in which any person, company or corporation owning or operating as a common carrier any railroad in whole or in part in this State may contest the validity, or reasonableness and fairness of any maximum rate established by statute to be charged by railroads for the transportation, originating and terminating within the State, of articles, and have the same annulled or the enforcement thereof enjoined or restrained.

S. 86. An act to further regulate the doing of business in the State of Alabama by foreign or non-resident corporations or corporations organized under or by authority of the law of any other State or government than the State of Alabama, and to fix a punishment for a violation thereof.

S. 228. To make appropriation for the repair, building and maintenance of the Confederate Soldiers' Home at Mountain Creek, Alabama.

S. 346. To amend an act to amend an act to amend section 4457 of the Code of 1896, approved March 5, 1901.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker pro tempore of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Senate message.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has amended, as therein shown, and as amended has passed the following House bills:

H. 741. To make subject to taxation and to fix the franchises, or intangible property and assets of every person, association, company and corporation engaged as common carrier in this State in the business of transporting persons or property over any railroad, including street railroads, or in the business of operating any cars over any railroad for the transportation of freight or passengers, including sleeping cars, parlor or palace cars, dining cars, chair cars, tank cars, and cars of any other kind; or engaged in operating for gain any telegraph or telephone lines or plant or business; or in operating any plant or business for the production, manufacture, distribution or sale of gas, water, electricity, electric power, electric light, steam heat, oil, refrigerated air, or other like substances, by means of pipes, wires, or conduits passing on, over, under or through any territory, street alley or highway in this State; or in the business of operating for gain, dockage, wharfage, canal, freight or passenger depots, stations or terminals, or engaged in any other business which may be dependent upon the grant of public powers or privileges, or which may involve the operation of any public utility; and to provide for the valuation and manner of ascertaining the values of such franchises, or intangible properties, and the distribution of the same for local taxation, and the levy, assessment and collection of said taxes thereon.

H. 615. To amend sections 1321 and 1322 of the Code of 1896.

H. 610. To further amend the revenue laws of the State of Alabama.

H. 769. To better provide for the revenue of the State and the more efficient assessment and collection of taxes, and for this purpose to create a commission to be known as the State tax commission of Alabama; and to prescribe the powers and duties of said commission; and its mode of procedure and to abolish the office of State tax commissioner.

H. 763. To provide for a joint committee of the Senate and House to sit during the recess of the Legislature to prepare a general municipal bill.

H. 30. To define who are delinquent children and to provide for their arrest, care and reformation.

And has passed the following bills:

H. 240. To enlarge the duties of the department of Archives and History.

H. 764. To provide for the employment and pay of a servant for the supreme court.

And herewith returns same to the House.

And has concurred in House amendment to S. J. R. 42, relative to raising a guano committee.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Woolf, the House concurred in the Senate amendment to the bill, H. 741, said Senate amendment being as follows:

Amend section 7 1-2 by inserting next after the words "or manager of the" where they first occur in said section the word "owner."

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Alford	Benners	Carmichael (Colbert)
Arnold	Bulger	Coleman (Marshall)
Baltzell	Burney	Cooper
Barton	Carmichael (Clay)	Cranford

Dudley	Long (Butler)	Sanders
Edwards	Lovelady	Sanford
Glover	Lyons	Sherrod
Goodwyn	Maner	Smith (Elmore)
Gunter	Mitchell	Smith (Lee)
Haley	McMillan	Smith (Franklin)
Hoffman	Norville	Tunstall
Jenkins	Pearson	Turner
John	Pitts (Perry)	Urquhart
Killen	Power	Vann
King	Ragsdale	White (Lamar)
Lawson	Rice	White (Perry)
Lee (Etowah)	Rowe	Williams
Lindsey	Rushton	Woolf

—54.

On motion of Mr. Long, of Butler, the House concurred in the Senate amendment to the bill, H. 615, said Senate amendment being as follows:

Amend section one by striking out the words "dollars. And each foreign corporation whose actual amount of capital employed in this State exceeds one hundred dollars and does not exceed \$1,000.00 shall pay an annual franchise tax of twenty-five per centum upon the first one hundred dollars of such actual amount of capital employed by it within this State and five per centum of the amount of such actual amount of capital in excess of \$100.00 up to \$1,000.00" where they occur in said section beginning in line 16 thereof and ending in line 20 thereof, and insert in lieu thereof for the words so stricken out the words "dollars;" and further amend said section by adding after the words "in excess of \$100,000" the words "up to \$1,000,000.00;" further amend said section 1 by adding at the end thereof the words, "provided foreign corporations whose principal or sole business is lending money shall not be required to pay more than one-fortieth of one per centum upon the amount of capital employed in this State by it;" further amend section 1 by striking out the words "an annual franchise tax" where they occur in section 1 next after the words "\$1,000,000.00 shall pay" and in-

sert in lieu the words "a charter fee." Amend section 2 by striking out the words "filed" where it occurs in line 14 next after the word "treasury" and insert in lieu thereof the word "file."

Yeas, 59; nays, 2.

Yeas:

Messrs:—

Alford	John	Rowe
Armstrong	Johnson	Rushton
Arnold	Killen	Sample
Arrington	King	Sanders
Benners	Lawson	Sanford
Bulger	Lee (Etowah)	Seale
Burney	Lee (Houston)	Sherrod
Carmichael (Clay)	Lindsey	Smith (Elmore)
Carmichael (Colbert)	Long (Butler)	Smith (Lee)
Coleman (Marshall)	Long (Morgan)	Smith (Franklin)
Cooper	Lovelady	Tunstall
Cranford	Lyons	Turner
Dudley	Maner	Urquhart
Edwards	Mitchell	Vann
Glover	Norville	Weaver
Goodwyn	Parker	White (Lamar)
Gunter	Pearson	White (Perry)
Haley	Power	Williams
Hoffman	Price	Woolf
Jenkins	Rice	

—59.

Nays:

Messrs:—

Cannon Pitts (Perry)

—2.

On motion of Mr. Long, of Butler, the House concurred in the Senate amendment to the bill H. 769, said Senate amendment being as follows:

Amend section nine by striking out the words "Tax Commissioner" where they occur in line two of said section and insert in lieu thereof the words "State Tax Commission."

Amend by striking out the word "of" where it occurs first in line 11 of sub-division 4 of section 9 and insert

in lieu thereof the word "or"; amend sub-division 14 by section 9 by striking out the word "violation" where it occurs in line 3 of said subdivision and insert in lieu thereof "valuation." Amend subdivision 14 of section 9 of said bill by inserting next after the words "appeal to" where they occur in line 3 on page 11 of said bill the word "the."

Amend section 2 of said bill by inserting between the words "shall" and "composed" in the first line of said section the word "be."

Yeas, 61; nays, 1.

Yeas:

Messrs:—

Alford	Killen	Powell (Bullock)
Armstrong	King	Power
Ballard (Autauga)	Kirby	Price
Barton	Lacy (Walker)	Pugh
Bulger	Lawson	Ragsdale
Burney	Lee (Etowah)	Ratray
Cannon	Lee (Houston)	Rice
Carmichael (Clay)	Lindsey	Rowe
Carmichael (Colbert)	Long (Butler)	Rushton
Coleman (Marshall)	Long (Morgan)	Sanders
Cooper	Lyons	Sanford
Cranford	Maner	Smith (Elmore)
Doyle (Clark)	Middleton	Smith (Lee)
Edwards	Moore	Smith (Etowah)
Elrod	McCrory	Smith (Franklin)
Fuller	McDuffie	Steagall
Glover	McMillan	Tunstall
Haley	Parker	Urquhart
Hoffman	Pearson	Weaver
John	Pitts (Perry)	White (Lamar)
Johnston		

--61.

Nays:

Mr. Sherrod

—1.

On motion of Mr. Bulger the House concurred in the Senate amendment to the bill H. 763, said Senate amendment being as follows:

Amend by making ten dollars per day read four dollars per day.

Amend by inserting the words "or bills" after the word "bill" when it appears in the caption or body of the bill.

And add to section 3 "provided, such committee shall not sit for more than twenty days."

Yeas, 58; nays, 4.

Yeas:

Messrs:—

Armstrong	Johnson	Powell (Bullock)
Ballard (Autauga)	Killen	Power
Barton	King	Price
Benners	Lacy (Walker)	Pugh
Bulger	Lawson	Rattray
Burney	Lee (Etowah)	Rowe
Cannon	Lee (Houston)	Rushton
Carmichael (Clay)	Lindsey	Sanders
Carmichael (Colbert)	Long (Butler)	Sanford
Coleman (Marshall)	Long (Morgan)	Sherrod
Cooper	Lyons	Smith (Elmore)
Cranford	Maner	Smith (Lee)
Doyle (Clark)	Moore	Smith (Franklin)
Edwards	McCrory	Tunstall
Elrod	McDuffie	Urquhart
Fuller	McMillan	Weaver
Goodwyn	Parker	White (Lamar)
Gunter	Pearson	White (Perry)
Haley	Pitts (Perry)	Woolf
John		

—58.

Nays:

Messrs:—

Alford	Hoffman	Sample
Glover		

—4.

On motion of Mr. Woolf the House nonconcurrent in the Senate amendments, to the bill, H. 610, said Senate amendments being as follows:

Amend section 21 so as to read as follows: Section 21. That any person, firm or corporation operating any

cotton seed oil mill, cotton mill or cotton factory shall pay an annual license fee of \$10.00 where the investment for plant and fixtures is less than \$20,000; on all plants of over \$20,000 and less than \$50,000, \$30.00; on plants of over \$50,000 and under \$100,000, \$50.00; on plants of over \$100,000 and under \$500,000, \$100.00 on plants over \$500,000 and under \$1,000,000, \$150.00; on all plants over \$1,000,000, \$200.00.

Further amend section one of H. 610 by adding at the end thereof the following:

J. All money employed in the business of advancing or lending on any kind of chattels, choses in action or personal property, or used in buying or discounting notes, bonds or bills of exchange.

K. All moneyed capital used in any business which comes in competition with the business of national banks.

Amend the amendment by adding after the words piano and organs the word sewing-machines.

Amend section D of sub-division 1 so as to read as follows:

"D. There shall be no ad valorem tax collected upon any such instrument, or the debt secured thereby, which shall have paid the tax prescribed in this act, either state, county or municipal."

Further amend said section 1 by adding at the end thereof the following:

"1. All money lent, solvent credits and credits of value, except such as are secured by mortgage, deed of trust, or written contract of conditional sale, upon which a tax imposed by law has been paid."

Amend section 3 by striking out the word "or" where it occurs next after the words "purpose of conducting a fire insurance business" and inserting in lieu thereof the word "for." Further amend by striking out the words "pianos" and "organs" wherever they occur in section 11, and by adding at the end of section 11 the following ("11 1-2—Every person, firm or corporation engaged in the business of selling or delivering pianos or organs in this State either in person or by agents or consignees, shall pay an annual license of \$100.00 for each county

in which they may so sell, provided that this license shall not apply to merchants or dealers having a permanent place of business in this State and keeping said articles as a part or all of their stock in trade.)

Such persons, firms or corporations having a permanent place of business in this State and keeping said articles as part or all of their stock in trade shall pay the State an annual license of \$100.00 to be paid in the county in which such permanent place of business is established, and the payment of such license in such county as evidenced by the official certificate of the judge of probate shall be sufficient, notwithstanding they may sell in other counties.)

Amend section 15 so the same shall read as follows:

"That every person, firm or corporation engaged in the business of bottling non-alcoholic, carbonated or other soft drinks, shall be required to pay to the State annual license taxes as follows: in towns of not more than five thousand inhabitants twenty-five dollars and in towns or cities of five thousand inhabitants and not exceeding twenty thousand inhabitants fifty dollars, and in all towns having more than twenty thousand inhabitants one hundred dollars.

Amend section 20 by adding at the end thereof "for each factory, and each fertilizer mixing plant or factory shall pay an annual license of ten dollars." Further amend by striking out sections 23 1-2 and 23 3-4. Further amend by adding section twenty-five as follows: Section 25. That this act be incorporated in and made a part of the code to be adopted by this legislature."

On motion of Mr. Woolf, a committee of conference was requested, on the disagreement of the two Houses on the Senate amendments to the bill, H. 610..

Committee on part of the House, Messrs. Woolf, Manner, and White of Lamar.

And on motion of Mr. John, the House nonconcurrent in the Senate amendments as follows to the bill, H. 30:

Amend by striking out the words "shall" where they

occur in lines 34 and 35, section one (1) of said bill and insert in lieu thereof the words "may."

Amend section 1, by striking out the words "Sling Shots" wherever they occur in said section.

Amend section 5 by striking out the word "shall" in the third line of said section and insert in lieu thereof "not be imprisoned but" in lines 4 and 5.

Amend section 11, by striking out the words "must the word "may."

Amend section 11, by striking out all of said section beginning with and including the words "if any child" in line 8, and insert in lieu thereof, the following: "If any child under 14 years of age is brought before any court, or judge or justice of the peace, it shall be discretionary with said court, or judge or justice of the peace whether said child shall be tried, or examined on the charge, or be sent together with a copy of the charge before the proper judicial officers provided by this act."

Amend section 16 by striking out the following in line 6, "must immediately" and down to and including the words "doubt and" in line 11, and insert in lieu thereof the words "may at his discretion."

On motion of Mr. John, a committee of conference was requested on the disagreement of the two Houses, on the Senate amendment to the bill H. 30: committee on part of the House, Messrs. John, Pitts of Dallas, and King.

MESSAGE FROM THE GOVERNOR.

March 2nd, 1907.

To the House of Representatives:

I return herewith H. B. 233 entitled "An act to appropriate the sum of forty thousand dollars (\$40,000) to the Alabama Schools for the Deaf and Blind", and I propose the following amendments therein which will remove my objections to said bill:

1st. Amend title by striking out the word "forty" and inserting in lieu thereof "fifty," and by striking out the

figures and characters “(\$40,000)” and inserting in lieu thereof the figures and characters “(\$50,000.)”

2nd. Amend sections 1, 2 and 3, by striking out the word “forty” where it occurs in each of said sections and inserting in lieu thereof the word “fifty”, and by striking out the figures and characters “(\$40,000)” and inserting in lieu thereof the figures and characters “(\$50,000.)”

B. B. Comer, Governor.

On motion of Mr. Steagall the House concurred in and adopted the amendments proposed by the Governor to the bill H. 233.

Yeas, 67; nays, 0.

Yeas:

Messrs:—

Alford	John	Powell (Bullock)
Ballard (Autauga)	Johnson	Power
Ballard (Pike)	Killen	Price
Barton	King	Pugh
Benners	Kirby	Ragsdale
Bloch	Lacy (Dallas)	Rattray
Bulger	Lacy (Walker)	Rice
Burney	Lawson	Rowe
Cannon	Lee (Etowah)	Rushton
Carmichael (Clay)	Lee (Houston)	Sanders
Carmichael (Colbert)	Lindsey	Sanford
Coleman (Marshall)	Lovelady	Seale
Cooper	Lyons	Smith (Elmore)
Cranford	Mitchell	Smith (Lee)
Doyle (Clark)	Moore	Smith (Franklin)
Dudley	McCrory	Steagall
Edwards	McDuffie	Turner
Elrod	McMillan	Urquhart
Fuller	Norville	Weaver
Glover	Parker	White (Lamar)
Goodwyn	Pearson	White (Perry)
Haley	Pitts (Perry)	Woolf
Hoffman		

MESSAGE FROM THE GOVERNOR.

To the House of Representatives:

I return herewith H. B. 323 "To provide necessary funds for maintenance, repairs, improvements, apparatus and additions to the Medical College of Alabama," and recommend and propose the following amendments which will remove my objections thereto.

Amend bill by striking out section 3 and inserting in lieu thereof the following section:

Section 3. That the money herein appropriated shall not be available, and the auditor shall not draw his warrant on the treasurer for said money, or any part thereof, until the title to all the property, real and personal, of every kind and description of said Medical College of Alabama shall have been vested in the board of trustees of the University of Alabama, and until the board of trustees of the University of Alabama shall have assumed full, complete and absolute management of and control over the said Medical College of Alabama. And when said appropriation shall thus become available the auditor shall draw his warrant on the treasurer for the same only upon the requisition of the board of trustees of the University of Alabama, approved by the Governor."

B. B. Comer, Governor.

On motion of Mr. Steagall the House concurred in and adopted the amendments proposed by the governor to the bill, H. 323.

Yeas, 66; nays, 0.

Yeas:

Messrs:—

Alford	Cannon	Elrod
Ballard (Autauga)	Carmichael (Clay)	Fuller
Ballard (Pike)	Carmichael (Colbert)	Glover
Barton	Cooper	Goodwyn
Benners	Cranford	Haley
Bloch	Doyle (Clark)	Hoffman
Bulger	Dudley	John
Burney	Edwards	Johnson

Killen	Mitchell	Rushton
King	Moore	Sanders
Kirby	McMillan	Sanford
Lacy (Dallas)	Norville	Sherrod
Lacy (Walker)	Parker	Smith (Elmore)
Lawson	Pearson	Smith (Lee)
Lee (Etowah)	Pitts (Perry)	Smith (Franklin)
Lee (Houston)	Powell (Bullock)	Steagall
Lindsey	Power	Turner
Long (Butler)	Price	Urquhart
Long (Morgan)	Pugh	Weaver
Lovelady	Ratray	White (Lamar)
Lyons	Rice	White (Perry)
Maner	Rowe	Woolf

—66.

MESSAGE FROM THE GOVERNOR.

To the House of Representatives:

I herewith return House bill No. 371 entitled "An act to provide for the inspection of jails and almshouses," and recommend and propose the following amendments:

1st. Amend the title of said bill by inserting after the word "almshouses", the words, "and cotton mills or factories."

2nd. Amend by adding after section 9 the following section:

"Section 10. It shall also be the duty of said inspector to visit at least four times each year, and oftener when ordered by the governor so to do, each and every cotton mill or factory in this State and to thoroughly inspect the same for, for the purpose of ascertaining their sanitary condition, the ages and condition of the children employed therein, and all other matters concerning the operation and condition of said mills or factories as to which the laws of this State prescribe any rules or regulations, and to make reports to the governor of the result of each such inspection. It shall also be the duty of such inspector, when ordered so to do by the governor, to institute prosecutions against the owners and operators of such mills or factories for the vio-

lation of any of the rules or regulations prescribed by any law of this State relating to the conditions on operations of such mills or factories or the employment of children therein."

3rd. Also amend by adding the following section:

Section 11. "That this act shall go into effect immediately upon its passage and approval."

B. B. Comer, Governor.

On motion of Mr. Steagall, the House concurred in and adopted the amendment proposed by the Governor to the bill, H. 371.

Yeas, 62; nays, 12.

Yeas:

Messrs:—

Alford	Johnson	Price
Armstrong	Killen	Ragsdale
Ballard (Autauga)	King	Rattray
Ballard (Pike)	Kirby	Rice
Baltzell	Lacy (Dallas)	Rowe
Barton	Lawson	Rushton
Benners	Lee (Etowah)	Sanders
Bloch	Long (Butler)	Sanford
Bulger	Long (Morgan)	Seale
Burney	Lovelady	Sherrod
Carmichael (Clay)	Lyons	Smith (Elmore)
Carmichael (Colbert)	Maner	Smith (Lee)
Coleman (Marshall)	Middleton	Steagall
Cooper	Mitchell	Turner
Cranford	McMillan	Vann
Dudley	Norville	Weaver
Elrod	Pearson	White (Lamar)
Fuller	Pitts (Perry)	White (Perry)
Glover	Powell (Bullock)	Williams
Goodwyn	Power	Wood
John	Pratt	

Nays:

Messrs:—

Cannon
Edwards
Haley
Hoffman

Lee (Houston)
McDuffie
Parker
Sample

Smith (Franklin)
Tunstall
Lindsey
Lacy (Walker)

—12.

MESSAGE FROM THE GOVERNOR.

To the House of Representatives:

I herewith return House bill No. 671 entitled "An act to make an appropriation to the Alabama Polytechnic Institute in lieu of the share of the proceeds arising from the sale of fertilizer tags now paid to the said Institute" and I recommend and propose the following amendment:

Amend section 1 by striking out the words, "thirty-two thousand dollars annually," and inserting in lieu thereof the following words "thirty-two thousand dollars for the year 1907-8, thirty-six thousand dollars for the year 1908-9, thirty-eight thousand dollars for the year 1909-10, and thereafter forty thousand dollars annually."

B. B. Comer, Governor.

March 2, 1907.

On motion of Mr. Smith of Lee, the House concurred in and adopted the amendment proposed by the governor to the bill, H. 761.

Yeas, 69; nays, 4.

Yeas:

Messrs:—

Alford
Armstrong
Ballard (Autauga)
Ballard (Pike)
Barton
Benners
Bloch
Bulger

Burney
Cannon
Carmichael (Clay)
Carmichael (Colbert)
Coleman (Marshall)
Cooper
Cranford
Dudley

Edwards
Elrod
Glover
Goodwyn
Gunter
Haley
Henley
Hoffman

Hughston	Lovelady	Rice
Jenkins	Lyons	Rowe
John	Mitchell	Rushton
Johnson	Moore	Sanders
Killen	McCrory	Sanford
King	McDuffie	Seale
Kirby	McMillan	Sherrod
Lacy (Dallas)	Norville	Smith (Elmore)
Lacy (Walker)	Oliver	Smith (Lee)
Lawson	Pearson	Smith (Franklin)
Lee (Etowah)	Pitts (Dallas)	Steagall
Lee (Houston)	Powell (Bullock)	Turner
Lindsey	Power	Vann
Long (Butler)	Price	Weaver
Long (Morgan)	Ragsdale	Williams

—69.

Nays:

Messrs:—

Fuller

Parker

Sample

Johnson

—4.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the report made by the conference committee on the disagreement of the two Houses over Senate amendments to House bill 333.

To make an appropriation for the expenses of encampment of the Alabama National Guards for the years 1907, 1908, 1909 and 1910.

J. A. Kyle, Secretary.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 333.

Mr. Speaker:

Your committee on conference and Senate amendment to House bill 333 by which amendment the Senate increased the appropriation provided for in H. bill 333 from \$15,000 to \$25,000 and on which there is a disagreement between the two houses recommend that the Senate do amend its said amendment by inserting \$20,-

000 where \$25,000 now appears and upon such action by the Senate we do recommend that the House concur in said amendment.

Respectfully,

Chas. B. Teasley,
Max Hamburger, Jr.,
On part of the Senate.
R. T. Goodwyn,
Fleetwood Rice,
J. G. Woolf,

On the part of the House.

On motion of Mr. Goodwyn, the House concurred in and adopted the report of the conference committee above set out, relative to H. 333.

Yeas, 44; nays, 27.

Yeas:

Messrs:—

Alford	John	Parker
Armstrong	King	Pitts (Dallas)
Barton	Kirby	Power
Benners	Lacy (Dallas)	Price
Bloch	Lawson	Pugh
Bulger	Lee (Etowah)	Rattray
Burney	Lindsey	Rice
Carmichael (Colbert)	Long (Butler)	Sanford
Coleman (Marshall)	Long (Morgan)	Seale
Doyle (Clark)	Lovelady	Smith (Franklin)
Dudley	Lyons	Steagall
Edwards	McCrory	Urquhart
Glover	McDuffie	Weaver
Goodwyn	McMillan	White (Perry)
Haley	Norville	

—44.

Nays:

Messrs:—

Ballard (Autauga)	Cranford	Lacy (Walker)
Ballard (Pike)	Elrod	Lee (Houston)
Baltzell	Fuller	Middleton
Cannon	Johnson	Mitchell
Carmichael (Clay)	Killen	Moore

Pearson	Rushton	Smith (Lee)
Pitts (Perry)	Sample	Tunstall
Powell (Bullock)	Sanders	Turner
Rowe	Sherrod	Williams

—27.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate insists on its amendment to H. B. 610, to further amend the revenue laws of the State of Alabama, and accedes to the request of the House for a committee on conference on the disagreement of the two Houses, on said Senate amendments. The committee on the part of the Senate Messrs. Miller, Teasley and Lowe, and the Senate insists on its amendment to H. B. No. 30 to define who are delinquent children and to provide for their arrest and reformation, and accedes to the request of the House for a committee on conference, on the disagreement of the two Houses on the Senate amendment to said bill. The committee on the part of the Senate Messrs. Reynolds, Merrett and Spragins, and the Senate insists on its amendments to H. B. 243, to enlarge the insurance laws of the State, and requests a committee of conference on the disagreement of the two Houses on the Senate amendment to said bill. The committee on the part of the Senate Messrs. Hamner, Hays and Overton.

And has concurred in H. Joint Resolution 195 relative to instructing the code committee to look into the legal status and report bill or otherwise to the legislature after the recess of the swamp and overflowed lands of the State.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following bills, your signature thereto is requested:

S. 230. To provide for the collection, compilation and publication of statistics of cotton ginned within

the State; to establish a bureau of cotton statistics, and to prescribe the duties and powers of such bureau; to make appropriation for the maintenance thereof, to require ginners to make reports thereto; and to fix penalties for the violations of the provisions of this act.

S. 293. To fix the salary of the marshal and librarian of the supreme court and to make appropriation therefor.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Speaker pro tempore of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Senate message.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your Committee on Enrolled Bills having examined the following House bills beg leave to report the same correctly enrolled:

H. 639. To amend section 2 of an act entitled an act "to establish a charter for the town of Ashland, Clay county, Alabama.

H. 240. To enlarge the duties of the Department of Archives and History.

H. 614. To make subject to taxation in this State, money lent, solvent credits and credits of value and moneyed capital.

H. 709. To authorize the town of Haleysville in Winston county, to establish and operate a dispensary for the purpose of buying and selling spirituous, vinous and malt liquors within its corporate limits, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors within said town.

H. 238. To authorize the commissioners court of Baldwin county to surrender and convey the county buildings and grounds at Daphne to the trustees of a normal school to be established in said county.

H. 764. To provide for the employment and pay of a servant for the supreme court.

H. 612. To amend an act entitled an act to regulate the collection of the poll taxes in the State of Alabama, approved Feb. 12th, 1903.

H. 330. To establish an Immigration Board for the State of Alabama, to define its duties, to appropriate money to pay the expenses for carrying out its provisions, and to provide for the appointment of an Immigration Commissioner, to define his duties and to fix his compensation.

J. S. Williams, Chairman.

SIGNING BILLS.

The Speaker pro tempore of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the standing committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills having examined the following House bills beg leave to report the same correctly enrolled:

H. 546. Authorizing the transfer of any civil cause now pending in the circuit court of Jefferson county, in the State of Alabama, in the city court of Birmingham, in said State, or in the chancery court of said county back to the city court of Bessemer in said county, in all cases where the cause has been removed from said city court of Bessemer to said circuit, city or chancery court by and at the instance of the defendant.

H. 788. To make further provisions for defraying the expenses of the Legislature.

H. 717. To require the sheriff of Hale county to procure from the office of the United States Internal Revenue Collector for the State of Alabama, a list of the persons, firms or corporations in Hale county to whom a license has been issued for the sale of spirituous vinous or malt liquors, and to publish same in some newspaper published in said county.

H. 708. To authorize the court of county commission- of Walker county, Alabama, to borrow money and pay interest thereon.

H. 545. To repeal "an act authorizing the transfer of any civil cause pending in the city court of Bessemer in the county of Jefferson, in the State of Alabama, to the circuit court of Jefferson county in said State or to the city court of Birmingham in said State, or to any other court of competent jurisdiction sitting in the city of Birmingham," approved September 26, 1903.

H. 538. To provide for the election of four commissioners of Fayette county, Alabama, by the qualified electors of said county.

H. 667. For the relief of Mary A. Pope, widow of an ex-confederate soldier, being a resident of Marion county, Alabama.

H. 688. To create the office of county solicitor for Madison county, and to prescribe his duties and powers, and to fix his compensation or salary, and to provide for his appointment and election.

H. 792. To fix and provide for the salaries of the judges of the city court of Birmingham.

H. 811. To provide for the payment of expenses incurred by the doorkeeper of the House and doorkeeper of the Senate.

H. 712. To fix and provide for the salaries of the judges of the criminal court of Jefferson county.

H. 718. For the relief of the dispensary of the town of Gordon, Houston county, Alabama, whereas, the dispensary in the town of Gordon, Houston county, Alabama, did pay to the State of Alabama, \$250.00 for the year 1906, as a license to sell spirituous, vinous and

malt liquors in said town, and whereas, the law under which said dispensary was run was held and declared unconstitutional by the circuit court of Houston county, Alabama, after the taking out and paying for said license, and prior to the 20th day of January, 1906; and the commissioners who were running and operating said dispensary were ousted by said court, and ordered to desist by said court from further running or operating of said dispensary; and said commissioners, in obedience to said order ceased to run said dispensary any longer, or to sell spirituous, vinous or malt liquors under the said license any longer.

H. 731. To detach and take a portion of the territory of Conecuh county and attach and add the same to Escambia county.

H. 460. To repeal an act, approved December 6th, 1900, entitled an act to make all fines and forfeitures in Dale county, Alabama, payable only in lawful money of the United States.

H. 114. To prohibit the sale, barter or exchange of vinous, spirituous or malt liquors or intoxicating bitters or beverages at any place in the county of Etowah, except within the corporate limits of the cities of Gadsden and Attalla.

H. 670. To provide for and regulate the working of the public roads in Lee county, Alabama.

H. 372. To authorize cities, towns, and other municipal corporations to make certain improvements on the sidewalks, streets, avenues, alleys, highways, or other public places of such city, town or other municipal corporation; to construct sewers; to assess the cost of such improvements, or any part thereof, upon the property abutting such street, avenue, alley, highway, or other public place, or drained by such sewers, or against the right of way of any railroad so improved or drained by such sewers; to make such assessments a lien on such property, and to regulate appeals from such assessments, to provide methods for the enforcement of such lien, and the payment of such assessment and penalties; and to authorize the issue of bonds to pay for such improvements.

H. 727. To provide for the appointment of an official stenographer for the city court of Montgomery, to prescribe his duties and to fix his compensation.

H. 167. To authorize the establishment of State depositories for State funds; to authorize State and county officers to deposit State funds therein to provide for the regulation and control of such depositories; to provide security for the funds deposited therein; and to provide penalties for the violation of the rules and regulations prescribed for the establishment, management and control of such institution."

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker pro tempore of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the standing committee on Enrolled Bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 39. To authorize the courts of county commissioners of the several counties, and other courts of like jurisdiction to compromise certain claims in favor of the counties.

H. 581. To fix the salary of the judges of the police court of the city of Birmingham, Alabama.

H. 655. To establish a dispensary in and for the town of Dayton, in the county of Marengo, State of Alabama, and to provide for the conduct and regulation of the same.

H. 699. To repeal an act entitled an act to provide for the running at large of domestic live stock in the precinct of Hazel Green and all that section of Hurricane lying north of the line that formerly divided the

precinct of Hurricane from the precinct of Maysville, Madison county, (approved February 9th, 1901).

H. 756. To amend section one of an act entitled "An act to incorporate the town of Sulligent in the county of Lamar, State of Alabama," approved February 12th, 1897.

H. 787. To fix the time of holding the circuit courts in the counties of Perry and Bibb.

H. 793. To fix the salary of the chancellor of the northwestern chancery division of Alabama at the sum of forty-five hundred (\$4,500.00) dollars per annum, and to provide for the payment of as much thereof out of the State treasury as shall be paid to other chancellors, and for the payment of the remainder thereof out of the treasury of Jefferson county.

And herewith returns same to the House.

J. A. Kyle,
Secretary.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill:

S. 154. To define and regulate public warehouses in incorporated towns and cities for the storage of cotton or other articles of value for compensation, and to provide a punishment for the violation of this act.

The question was upon the adoption of the following amendment reported by the standing committee on Ways and Means:

Amend Sec. 2 of the bill by striking out in line 26 the words, "upon a summary proceeding before him" and insert in lieu thereof the words "upon a regular proceeding before him for that purpose."

And the amendment was adopted.

Yeas, 53; nays, 2.

Yeas:

Messrs:—

Alford

Armstrong

Ballard (Autauga)

Ballard (Pike)

Baltzell

Barton

Benners

Bloch

Bulger

Burney

Carmichael (Clay)

Carmichael (Colbert)

Coleman (Marshall)	Lee (Etowah)	Ragsdale
Cooper	Lee (Houston)	Rice
Cranford	Lindsey	Rowe
Edwards	Long (Butler)	Rushton
Glover	Long (Morgan)	Sample
Haley	Lovelady	Sanford
John	Lyons	Smith (Lee)
Johnson	Maner	Smith (Franklin)
Killen	Mitchell	Tunstall
King	McCrory	Turner
Kirby	McMillan	Urquhart
Lacy (Dallas)	Parker	Weaver
Lacy (Walker)	Power	Williams
Lawson	Price	

—53.

Nays:

Messrs:—

Pearson

White (Perry)

—2.

And the bill:

S. 154. To define and regulate public warehouses in incorporated towns and cities for the storage of cotton or other articles of value for compensation, and to provide a punishment for the violation of this act.

As amended, was read a third time, at length, and passed.

Yeas, 52; nays, 3.

Yeas:

Messrs:—

Armstrong	Elrod	Lindsey
Baltzell	Fuller	Long (Butler)
Barton	Glover	Long (Morgan)
Benners	Goodwyn	Lovelady
Bloch	John	Lyons
Bulger	Killen	Mitchell
Burney	Kirby	McCrory
Carmichael (Colbert)	Lacy (Dallas)	McDuffie
Coleman (Marshall)	Lacy (Walker)	McMillan
Cranford	Lawson	Parker
Doyle (Clark)	Lee (Etowah)	Pitts (Dallas)
Edwards	Lee (Houston)	Pitts (Perry)

Powell (Bullock)	Sample	Turner
Price	Sanford	Urquhart
Rattray	Sherrod	Weaver
Rice	Smith (Elmore)	White (Perry)
Rowe	Smith (Lee)	Williams
Rushton		

—52.

Nays:

Messrs:—

Cannon	Carmichael (Clay)	Pearson
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—3.

Mr. Sample asked unanimous consent of the House to withdraw his motion to reconsider the vote by which the bill, S. 188, was passed. Consent was granted and the motion to reconsider was withdrawn.

BILL ON THIRD READING.

S. 334. To vacate and annul that part of Twenty-seventh street, in the city of Birmingham, Alabama, lying between First avenue, north, and Tenth avenue, north, in said city, as a public street or highway, and to annul and extinguish the dedication thereof.

Was read a third time, at length, and passed.

Yeas, 54; nays, 1.

Yeas:

Messrs:—

Alford	Elrod	Lovelady
Armstrong	Fuller	Lyons
Ballard (Autauga)	Glover	Mitchell
Ballard (Pike)	Goodwyn	McDuffie
Barton	Gunter	Norville
Benners	Haley	Pitts (Dallas)
Bulger	John	Pitts (Perry)
Burney	Johnston	Powell (Bullock)
Cannon	Lacy (Walker)	Power
Carmichael (Clay)	Lawson	Price
Coleman (Marshall)	Lee (Etowah)	Price
Cranford	Lindsey	Pugh
Doyle (Clark)	Long (Butler)	Rattray
Edwards	Long (Morgan)	Rowe

Rushton	Smith (Lee)	Turner
Sanders	Smith (Etowah)	Urquhart
Seale	Steagall	Vann
Sherrod	Tunstall	Weaver

—54.

Nays:

Mr. King

—1.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill:

S. 69. To amend sections 897 and 911 of chapter 19, article 1 of the Code of Alabama.

The question was upon the adoption of the amendment reported by the standing committee on Judiciary, which is as follows:

Amend section one by inserting after the word Russell, the words "and Lee." Amend the bill by inserting at the end of section 2 the words: "The circuit court of Talladega county shall be held at Talladega on the second Mondays after the second Monday in January, and July and may continue two weeks, and at Sylacauga on the second Mondays in January and July and may continue two weeks, provided that before said court shall be held at Sylacauga a member of the court of county commissioners of said county shall make and file with said court of county commissioners a certificate that, a building suitable in all respects in which to hold said court, has been provided without expense to said county."

Mr. Lee, of Houston, offered the following amendment to the amendment reported by the committee:

Amend the amendment by adding after the words "and Lee" the words, "Provided that Lee county shall remain in the third circuit only till the first day of July, 1907, when the law establishing the Lee county court of law and equity and the law detaching Lee county from the third circuit, go into effect; and provided further,

that the circuit courts of Henry county shall be held on the (17th) seventeenth Monday after second Monday in February and August of each year.

And the amendment offered by Mr. Lee, of Houston, was adopted.

Mr. Lawson offered the following amendment to the amendment:

Amend the amendment by adding thereto the following, to-wit:

Provided further that no court shall be held at Sylacauga under this act until the question as to whether such court shall be so held should be submitted to the qualified voters of Talladega county, and a majority vote in favor of such court.

On motion of Mr. Sanford, the amendment offered by Mr. Lawson was laid upon the table.

And the amendment reported by the committee, as amended, was adopted.

Yeas, 58; nays, 4.

Yeas:

Messrs:—

Ballard (Autauga)	John	Pitts (Perry)
Ballard (Pike)	King	Powell (Bullock)
Baltzell	Kirby	Power
Barton	Lacy (Dallas)	Pugh
Benners	Lacy (Walker)	Rattray
Bulger	Lawson	Rice
Burney	Lee (Etowah)	Rushton
Carmichael (Clay)	Lee (Houston)	Sample
Carmichael (Colbert)	Lindsey	Sanders
Coleman (Marshall)	Long (Butler)	Sanford
Cooper	Long (Morgan)	Seale
Cranford	Mitchell	Sherrod
Doyle (Clark)	McCrory	Smith (Elmore)
Edwards	McDuffie	Smith (Lee)
Elrod	McMillan	Steagall
Fuller	Norville	Tunstall
Glover	Parker	Turner
Goodwyn	Pearson	Urquhart
Gunter	Pitts (Dallas)	Weaver
Haley		

Nays:

Messrs:—

Cannon

Johnson

White (Perry)

Goodwyn

—4.

And the bill:

S. 69. To amend sections 897 and 911 of chapter 19, article 1 of the Code of Alabama.

As amended, was read a third time, at length, and passed.

Yeas, 54; nays, 3.

Yeas:

Messrs:—

Ballard (Autauga)

John

Pitts (Perry)

Ballard (Pike)

Johnson

Powell (Bullock)

Baltzell

Killen

Power

Benners

Lacy (Walker)

Pratt

Bulger

Lawson

Price

Burney

Lee (Etowah)

Pugh

Carmichael (Clay)

Lee (Houston)

Rowe

Carmichael (Colbert)

Long (Butler)

Rushton

Coleman (Marshall)

Lovelady

Sanders

Cooper

Lyons

Sanford

Cranford

Mitchell

Seale

Elrod

McCrory

Sherrod

Fuller

McDuffie

Smith (Elmore)

Glover

McMillan

Smith (Lee)

Goodwyn

Norville

Steagall

Gunter

Parker

Tunstall

Haley

Pearson

Vann

Hoffman

Pitts (Dallas)

Weaver

—54.

Nays:

Messrs:—

Cannon

Turner

White (Perry)

—3.

Mr. Pitts, of Dallas, asked that he be granted leave of absence for the night session, and that he also be relieved on committee of conference. Leave was granted, and the Speaker pro tempore appointed on said committee of conference, Mr. Sherrod.

ADJOURNMENT.

The hour having arrived, the House adjourned until 8 o'clock tonight.

NIGHT SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Armstrong	King	Price
Ballard (Autauga)	Kirby	Pugh
Ballard (Pike)	Lacy (Dallas)	Ragsdale
Barton	Lacy (Walker)	Rattray
Benners	Lancaster	Rice
Bloch	Lawson	Rowe
Bulger	Lee (Etowah)	Rushton
Carmichael (Clay)	Lee (Houston)	Sample
Carmichael (Colbert)	Lindsey	Sanders
Coleman (Marshall)	Long (Butler)	Sanford
Cooper	Long (Morgan)	Seale
Cranford	Lovelady	Sherrod
Doyle (Clark)	Maner	Smith (Elmore)
Edwards	Mitchell	Smith (Lee)
Elrod	McCrory	Smith (Etowah)
Fuller	McDuffie	Smith (Franklin)
Glover	McMillan	Thompson
Goodwyn	Norville	Tunstall
Gunter	Parker	Vann
Haley	Pearson	Weaver
Hoffman	Pitts (Perry)	White (Lamar)
Hughston	Powell (Bullock)	White (Perry)
John	Power	Williams
Johnson	Pratt	Wolf
Killen		

—73.

A quorum was present.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills, having examined the following bills, beg leave to report the same correctly enrolled:

H. 763. To provide for a joint committee of the Senate and House to sit during the recess of the Legislature to prepare a general municipal bill or bills.

H. 818. To appropriate funds to be expended by the State board of health, for the protection and promotion of the health of the people of the State.

H. 611. To further provide for the revenue of the State, by requiring all foreign corporations authorized to do business in this State under the laws of the State of Alabama, to pay an annual franchise tax.

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker pro tempore of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the standing committee on Enrolled Bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the joint resolution herewith sent:

S. J. R. 55. Resolved by the Senate, the House concurring, that the committee raised by the Joint Resolution of the two Houses to prepare and report to the Legislature a bill to regulate municipal corporations, be and said committee is hereby required to complete said bill at least sixty days before the Legislature meets after the recess and that said committee shall have 300 copies of said bill printed and mail two copies of same

to each member of the Legislature at least 30 days before the meeting of the Legislature after the recess.

J. A. Kyle,
Secretary.

On motion of Mr. Long, of Butler, the rules were suspended and the S. J. R. No. 55 was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended, as therein shown, and as amended has passed the following bills:

H. 668. To provide for the participation of the State of Alabama in the Jamestown exposition to be held on and near the waters of Hampton Roads, in the State of Virginia, in the year nineteen hundred and seven, in commemoration of the first permanent settlement made in the United States, by English speaking people, in the year sixteen hundred and seven.

H. 654. To relieve Cyrus Jones, Jr., as the only legal heir of Cyrus Jones, Sr., deceased, by refunding to him, money, amounting to \$250.20, belonging to the estate of the said Cyrus Jones, Sr., deceased, which escheated to the State of Alabama for lack of a claimant, as shown by the minute entries of the probate court of Madison county, Alabama, Vol. 30, page 42; and further evidenced by the treasurer's receipt No. 510, A. D., 1905.

H. 491. To fix and provide the salaries of city officers in the cities of the State of Alabama, having a population of over twenty-five thousand inhabitants.

And sends same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Haley, the House concurred in the Senate amendment to the bill, H. 668, said Senate amendment being as follows:

Amend House bill 668 by committee on Finance and Taxation, by striking out the words except the president

who shall receive \$1,000.00 compensation for his services, where they have been inserted in section one after the word commission (being the amendment made by the House to the original bill).

Further amend section one by striking out the words five in line one and insert in lieu thereof the word four. Amend Sec. one by striking out the words "one of whom shall be chief commissioner and so named by the governor." Amend by inserting after the word "who" in line three of section one, the words, "together with the governor who shall be ex-officio chairman." Amend section 1 by striking out the words "president a" in line 13.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Ballard (Autauga)	Johnson	Price
Ballard (Pike)	King	Pugh
Barton	Kirby	Ragsdale
Benners	Lacy (Dallas)	Rattray
Bloch	Lacy (Walker)	Rice
Cannon	Lee (Etowah)	Rowe
Carmichael (Clay)	Lee (Houston)	Rushton
Carmichael (Colbert)	Lindsey	Sanders
Coleman (Marshall)	Long (Butler)	Seale
Cooper	Long (Morgan)	Sherrod
Cranford	Lovelady	Smith (Elmore)
Doyle (Clark)	Mitchell	Smith (Lee)
Edwards	McCrary	Smith (Franklin)
Elrod	McMillan	Urquhart
Fuller	Norville	Weaver
Glover	Parker	White (Lamar)
Goodwyn	Pearson	White (Perry)
Haley	Pitts (Perry)	Williams
Hughston	Powell (Bullock)	Woolf
John	Pratt	

—59.

On motion of Mr. Kirby, the House concurred in the Senate amendment to the bill, H. 654, said Senate amendment being as follows:

To amend by striking out the words "General Assembly" wherever they occur and insert in lieu thereof the word "Legislature."

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Ballard (Autauga)	John	Pratt
Ballard (Pike)	Johnson	Price
Barton	Killen	Pugh
Benners	King	Rice
Bloch	Kirby	Rowe
Bulger	Lacy (Dallas)	Rushton
Cannon	Lacy (Walker)	Sanders
Carmichael (Clay)	Lindsey	Sanford
Carmichael (Colbert)	Long (Morgan)	Seale
Coleman (Marshall)	Lovelady	Sherrod
Cooper	Mitchell	Smith (Lee)
Cranford	McCrory	Smith (Franklin)
Doyle (Clark)	Norville	Tunstall
Edwards	Parker	Urquhart
Elrod	Pearson	White (Lamar)
Fuller	Pitts (Perry)	White (Perry)
Glover	Powell (Bullock)	Williams
Haley	Power	Woolf
Hoffman		

—55.

On motion of Mr. John, the House nonconcurrent in the Senate amendment to the bill, H. 491, said Senate amendment being as follows:

Amend by making thirty-six hundred dollars read five thousand dollars where it appears in the bill.

MESSAGE FROM THE GOVERNOR.

To the House of Representatives:

I herewith return H. B. No. 179, entitled "An act to make appropriations for the maintenance of the Alabama Industrial School for White Boys for the years 1907, 1908, 1909, and 1910," and I propose and recommend the following amendment which will remove my objection thereto:

Amend by adding to section 2 at the end thereof the words "provided, further, that of the above appropriation the sum of thirty-five hundred dollars may be used for repairs, improvements and supplies in addition to the sum of one hundred dollars for the maintenance of each inmate of said school,"

Mar. 2, 1907.

B. B. Comer,
Governor.

On motion of Mr. Haley, the House concurred in and adopted the amendment proposed by the governor to the bill, H. 179.

Yeas, 66; nays, 1.

Yeas:

Members:—

Armstrong	Hughston	Power
Arnold	John	Pratt
Ballard (Autauga)	Johnson	Price
Ballard (Pike)	Killen	Pugh
Barton	King	Ragsdale
Benners	Kirby	Rattray
Bloch	Lacy (Dallas)	Rowe
Bulger	Lacy (Walker)	Rushton
Cannon	Lee (Etowah)	Sample
Carmichael (Clay)	Lee (Houston)	Sanders
Carmichael (Colbert)	Lindsey	Sanford
Coleman (Marshall)	Long (Butler)	Seale
Cooper	Long (Morgan)	Smith (Elmore)
Cranford	Lovelady	Smith (Lee)
Doyle (Clark)	Maner	Smith (Franklin)
Edwards	Mitchell	Tunstall
Elrod	McDuffie	Urquhart
Fuller	Norville	Weaver
Glover	Parker	White (Lamar)
Goodwyn	Pearson	White (Perry)
Haley	Pitts (Perry)	Williams
Hoffman	Powell (Bullock)	Wolf

—66.

Nays:

Mr. Sherrod

—1.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has adopted and concurred in the amendments proposed by the governor to the following House bills :

H. 323. To provide necessary funds for the maintenance, repairs, improvements, apparatus and additions to the Medical College of Alabama.

Yeas, 19; nays, 1.

H. 233. To appropriate the sum of forty thousand dollars (\$40,000.00) to the Alabama schools for the deaf and blind.

Yeas, 18; nays, 0.

H. 371. To provide for the inspection of jails and almshouses.

Yeas, 23; nays, 1.

H. 671. To make an appropriation to the Alabama Polytechnic Institute in lieu of the share of the proceeds arising from the sale of fertilizer tags now paid to the said institute.

Yeas, 17; nays, 1.

And herewith returns said bills with the messages of the governor to the House.

And has concurred in the House joint resolution of joint committee that visited the Alabama Industrial School, and the Soldiers' Home at Mountain Creek, receiving expenses; and has concurred in the House substitute for Senate bill No. 188.

J. A. Kyle,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has received a message from his excellency, the governor, with his objections to and proposed amendments of :

S. 219. To provide for the revocation of the license or right to engage in or carry on the business of the transportation, originating and terminating in this State, of freight or passengers, of any foreign corporation which

is now engaged, or which may hereafter engage, in such business, or the business of common carrier in this State, in the event such corporation shall for any of the purposes specified in this act, institute in any federal court any suit or proceeding or shall remove or cause to be removed to any federal court any suit or proceeding instituted in any State court for any of the purposes specified in this act.

And the Senate has amended the bill as proposed by concurring in and adopting such proposed amendment.

Yeas, 15; nays, 13.

And the Senate sends said bill with the governor's message to the House of Representatives.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. John, the House concurred in and adopted the amendment proposed by the governor, to the bill, S. 219, said amendment being as follows:

Insert after section 3 of said bill the following section:

"Section 4. That this act shall go into effect immediately upon its passage and approval."

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Armstrong	Doyle (Clark)	Lacy (Dallas)
Arnold	Edwards	Lacy (Walker)
Ballard (Autauga)	Elrod	Lindsey
Ballard (Pike)	Fuller	Long (Morgan)
Barton	Glover	Lovelady
Benners	Goodwyn	Mitchell
Bloch	Haley	McCrory
Bulger	Hoffman	Pearson
Cannon	Hughston	Pitts (Perry)
Carmichael (Clay)	John	Powell (Bullock)
Carmichael (Colbert)	Johnson	Power
Coleman (Marshall)	Killen	Pratt
Cooper	King	Price
Cranford	Kirby	Pugh

Ragsdale	Seale	Urquhart
Rattray	Sherrod	White (Lamar)
Rowe	Smith (Elmore)	White (Perry)
Rushton	Smith (Lee)	Williams
Sample	Smith (Franklin)	Woolf
Sanders		

—58.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has passed the following House bill :

H. 619. To repeal an act entitled an act, to prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within 6 miles of Nances Creek Methodist church in Calhoun county, Alabama, or within the limits of precinct twelve, Coffee county; or within the limits of Carpenter's precinct in Jackson county; or within four miles of Mt. Nebo church in precinct twenty-seven; Thompson's Camp Grounds or Holy Tree in Bishop's precinct, all within the county of Jackson, or within four miles of the public school building in the city of Bridgeport, in the county of Jackson, or within three miles of Weeping Mary church in beat eight, Lee county; or within three miles of Friendship Baptist church in Crenshaw county; or within three miles of Zada church, Rama church, Union Hill church, precinct two, Henry county; or within two miles of Mary Baptist church, precinct or beat fourteen, in Tallapoosa county; or within five miles of Pleasant Grove Baptist church in precinct nine, in Henry county; or within township twenty, range twenty-three in Tallapoosa county; or within four miles of Liberty Baptist church and Young's Chapel Methodist church, Etowah county; or within two miles of Green Hill church, and school house of Green Hill in Lauderdale county; or within Ashville beat, No. 1, in St. Clair county; or within three miles of Pierce's Chapel M. E. church, beat 7, Lee county; or within two miles of Clintonville academy in Coffee county; or within three miles of White Oak M. E. church, beat 5, in Barbour county; or within three miles of Cave Springs Baptist church, beat 11,

in Etowah county; or within three miles of Marvin Chapel church in Pickens county; or within beat nine, in Limestone county; all of the within places are within the State of Alabama, and within five miles of Smith's Chapel, Jackson county; or within the corporate limits of the town of Guin, in Marion county; or within five miles of Canaan church and Woodland church, in Lauderdale county; and to repeal all laws heretofore passed prohibiting the sale, giving away or otherwise disposing of alcoholic, vinous or malt liquors, or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors within five miles of Pierce Chapel Methodist church in beat 7, Lee county, so far as said laws relate to the territory within five miles of Pierce Chapel Methodist church, passed by the General Assembly of Alabama 1892-1893, and approved on the 21st day of February, 1893, in so far as the same relates to the prohibition of the sales or giving away of alcoholic, spirituous, vinous or malt liquors, within three miles of Zada church, Rama church and Union Hill church, in Houston county, Alabama."

H. 799. To provide for the working, repairing, maintaining, and improving the public roads of Pickens county, Alabama.

H. 725. To amend section 3 of an act entitled "An act to regulate the trial of misdemeanors in the county of Macon," approved February the 18th, 1891.

H. 846. To authorize the commissioners' court of Conecuh county to divide said county into road precincts and to appoint road overseers to have supervision of the public roads in said county, and to direct and prescribe the duties of said overseers and the duties of road apportioners in said county, and to provide for and define the duties of said overseers and apportioners and to authorize the commissioners' court of Conecuh county to purchase for said county the necessary teams, tools, road machines, implements and plows to be used for constructing, repairing, working and improving the public roads in said county and to provide for the construction and improvement of the public roads of Conecuh county, and to prescribe who shall work on the

public roads in Conecuh county, and to provide for a road tax in lieu of work on the public roads of Conecuh county, and to provide for the appropriation of funds by the commissioners' court of Conecuh county for the construction, repairing, working and improving the public roads in said Conecuh county; to prevent the obstruction of and damage to the public roads of Conecuh county and to prescribe punishment for obstructing or damaging the public roads in Conecuh county.

H. 478. To prohibit the sale, giving away, or otherwise disposing of alcoholic, spirituous, vinous or malt liquors, intoxicating biters, wines, or fruits preserved in such intoxicants within precinct number 17, known as Warrior precinct in the county of Jefferson, State of Alabama, and to repeal the present local law for the town of Warrior under which saloons are now operated.

H. 222. To amend section two (2) of an act to establish the inferior court of Demopolis precinct, Marengo county, Alabama, in lieu of all justices of the peace therein to be called city court of Demopolis, approved Sept. 26, 1903, and by adding section 14 to said act.

And herewith returns same to the House.

And has originated and passed the following bill:

S. 115. To increase the efficiency of trust companies.

And sends the same to the House without engrossment, and has originated and passed the following bill:

S. 375. To repeal an act entitled an act to incorporate the town of Haynesville.

And sends same to the House without engrossment, and with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature for the repeal of the local act incorporating the town of Haynesville, and for the repeal of all acts relating thereto.

W. P. Russell.

The State of Alabama, }
 Lowndes County. }

Before me, J. C. Wood, judge of probate in and for said State and county, personally appeared Mrs. Estelle Garrett, who being duly sworn says on oath that she is the publisher and proprietor of "The Citizen-Examiner," a weekly newspaper published in said State and county, and that the notice attached to this affidavit appeared in the said Citizen-Examiner for four consecutive weeks from, to-wit, the 10th day of January, 1907, until the 31st day of January, 1907.

Mrs. Estelle Garrett.

Subscribed and sworn to before me this the 26th day of February, 1907.

J. C. Wood,
 Judge of Probate, Lowndes County, Alabama.

J. A. Kyle,
 Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message, were severally read one time and referred to appropriate standing committees, as follows:

Corporations, S. 115.

Municipal Organization, S. 375.

BILLS ON THIRD READING.

S. 261. To ratify and make legal all claims issued to State witnesses from March 6th, 1903, to June 9th, 1905, by the clerk of the circuit court of Walker county, or by the judge of the county court of Walker county, or by the person acting as and claiming to be judge of the county court of said county, or the clerk or person acting as clerk of said court, or issued by the foreman of any grand jury organized under what is known as the 14th judicial circuit act, approved March 6th, 1903.

Was read a third time, at length, and passed.

Yeas, 61; nays, 0.

Yeas:

Messrs:—

Armstrong	Hoffman	Pitts (Perry)
Arnold	Hughston	Powell (Bullock)
Ballard (Autauga)	John	Power
Ballard (Pike)	Johnson	Pratt
Barton	Killen	Price
Benners	King	Pugh
Bloch	Kirby	Ragsdale
Bulger	Lacy (Dallas)	Rattray
Cannon	Lacy (Walker)	Rowe
Carmichael (Clay)	Lee (Etowah)	Rushton
Carmichael (Colbert)	Lee (Houston)	Sample
Coleman (Marshall)	Lindsey	Sanders
Cooper	Long (Butler)	Sherrod
Cranford	Long (Morgan)	Smith (Elmore)
Doyle (Clark)	Lovelady	Smith (Lee)
Edwards	Mitchell	Smith (Franklin)
Elrod	McCrory	Urquhart
Fuller	McDuffie	White (Lamar)
Glover	Parker	White (Perry)
Goodwyn	Pearson	Woolf
Haley		

—61.

S. 165. To establish a State livestock sanitary board and the office of State veterinarian in order to further protect livestock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama.

Was taken up, and on motion of Mr. Tunstall, the bill, S. 165, was postponed until Monday morning immediately after the approval of the Journal.

S. 207. To amend an act approved March 4th, 1903, entitled an act to create a text-book commission, and to procure for use in the public free schools in this State, a uniform series of text-books; to define the duties and powers of said commission and other officers; to make an appropriation for the carrying into effect of this act; to provide punishment and penalty for the violation of the same.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Armstrong	John	Price
Arnold	Johnson	Pugh
Ballard (Autauga)	Killen	Rattray
Barton	King	Rice
Benners	Kirby	Rushton
Bulger	Lacy (Dallas)	Sanders
Cannon	Lacy (Walker)	Seale
Carmichael (Clay)	Long (Butler)	Sherrod
Carmichael (Colbert)	Long (Morgan)	Smith (Elmore)
Coleman (Marshall)	Lovelady	Smith (Lee)
Cooper	Maner	Smith (Franklin)
Cranford	Mitchell	Steagall
Doyle (Clark)	McCrory	Tunstall
Edwards	Parker	Urquhart
Elrod	Pearson	White (Lamar)
Glover	Pitts (Perry)	White (Perry)
Goodwyn	Powell (Bullock)	Williams
Haley	Power	Woelf
Hoffman		

—55.

S. 264. To amend section 2 of an act entitled "an act to establish a charter for the town of Lineville, Clay county, Alabama," approved December 14th, 1898.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Armstrong	Cooper	John
Arnold	Cranford	Killen
Ballard (Autauga)	Doyle (Clark)	King
Ballard (Pike)	Edwards	Kirby
Baltzell	Elrod	Lacy (Dallas)
Barton	Fuller	Lacy (Walker)
Benners	Glover	Lee (Etowah)
Bulger	Goodwyn	Lindsey
Cannon	Haley	Long (Butler)
Carmichael (Clay)	Hoffman	Lovelady
Carmichael (Colbert)	Hughston	Maner
Coleman (Marshall)	Jenkins	Mitchell

McCrory	Price	Smith (Elmore)
McDuffie	Pugh	Smith (Franklin)
Norville	Ragsdale	Tunstall
Parker	Ratray	Urquhart
Pearson	Rice	Weaver
Pitts (Perry)	Rowe	White (Lamar)
Powell (Bullock)	Rushton	Williams
Power	Seale	Woolf
Pratt	Sherrod	

-62.

S. 335. To vacate and annul the alleyways in blocks 204, 205 and 206; the east half of the alleyway in block 207, and the east half of the alleyway in block 203, in the city of Birmingham Alabama; also all that part of Fourth avenue, north, lying between Twenty-sixth street, north, and Twenty-seventh street, north, in said city also all that part of Sixth avenue, north, extending from the boundary line between lots 18 and 19 in block 207 in said city (if projected across said avenue) to the western boundary line of Twenty-seventh street, also that part of Third avenue, in said city extending from the boundary line between lots 15 and 16 in block 204, in said city (if projected across said avenue) to the western boundary line of Twenty-seventh street.

Was read a third time, at length, and passed.

Yeas, 60; nays, 1.

Yeas:

Messrs:—

Altman	Coleman (Marshall)	John
Armstrong	Cooper	Johnson
Ballard (Autauga)	Cranford	Killen
Ballard (Pike)	Doyle (Clark)	Kirby
Barton	Edwards	Lacy (Dallas)
Benners	Elrod	Lacy (Walker)
Bloch	Glover	Lee (Etowah)
Bulger	Goodwyn	Lee (Houston)
Cannon	Haley	Lindsey
Carmichael (Clay)	Hoffman	Lovelady
Carmichael (Colbert)	Hughston	Mitchell

McCrary	Pugh	Sanford
McDuffie	Ragsdale	Sherrod
McMillan	Rainer	Smith (Elmore)
Norville	Ratray	Smith (Lee)
Parker	Rice	Tunstall
Pearson	Rowe	Urquhart
Pitts (Perry)	Rushton	Weaver
Power	Sample	Williams
Pratt	Sanders	Woolf

—60.

Nays:

Mr. King

—1.

S. 329. To grant to towns and cities which own and operate dispensaries the power to contract with the governing body of the county in which such town or city is situated to give to such county fifty per cent of the net revenue of such dispensary for the purpose of paying interest upon, and providing a sinking fund for the redemption of, any bonds issued by such county for the purpose of constructing public roads in such county.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Armstrong	Hoffman	McDuffie
Ballard (Autauga)	Hughston	McMillan
Ballard (Pike)	John	Norville
Barton	Johnson	Parker
Benners	Killen	Pitts (Perry)
Bloch	King	Power
Bulger	Kirby	Pratt
Cannon	Lacy (Dallas)	Pugh
Carmichael (Clay)	Lacy (Walker)	Ragsdale
Carmichael (Colbert)	Lee (Etowah)	Rainer
Cooper	Lee (Houston)	Ratray
Cranford	Lindsey	Rice
Edwards	Long (Butler)	Rowe
Glover	Maner	Rushton
Goodwyn	Mitchell	Sample
Haley	McCrary	Sanders

Sanford
 Sherrod
 Smith (Elmore)
 Smith (Lee)

Tunstall
 Urquhart
 Weaver

White (Perry)
 Williams
 Woolf

—58.

S. 301. To dispose of all surplus monies coming into the fine and forfeiture fund of Jefferson county, Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Armstrong
 Ballard (Autauga)
 Ballard (Pike)
 Barton
 Bennens
 Bloch
 Bulger
 Cannon
 Carmichael (Clay)
 Carmichael (Colbert)
 Cooper
 Cranford
 Edwards
 Glover
 Goodwyn
 Haley
 Hoffman
 Hughston
 John
 Johnson

Killen
 King
 Kirby
 Lacy (Dallas)
 Lacy (Walker)
 Lee (Etowah)
 Lee (Houston)
 Lindsey
 Long (Butler)
 Maner
 Mitchell
 McCrory
 McDuffie
 McMillan
 Norville
 Parker
 Pitts (Perry)
 Power
 Pratt

Pugh
 Ragsdale
 Rainer
 Rattray
 Rice
 Rowe
 Rushton
 Sample
 Sanders
 Sanford
 Sherrod
 Smith (Elmore)
 Smith (Lee)
 Tunstall
 Urquhart
 Weaver
 White (Perry)
 Williams
 Woolf

—58.

S. 328. To re-arrange and extend the corporate limits of the town of Linden, Marengo county, Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas :

Messrs:—

Armstrong	Killen	Pugh
Ballard (Autauga)	King	Ragsdale
Ballard (Pike)	Kirby	Rainer
Barton	Lacy (Dallas)	Rattray
Benness	Lacy (Walker)	Rice
Bloch	Lee (Etowah)	Rowe
Bulger	Lee (Houston)	Rushton
Cannon	Lindsey	Sample
Carmichael (Clay)	Long (Butler)	Sanders
Carmichael (Colbert)	Maner	Sanford
Cooper	Mitchell	Sherrod
Cranford	McCrory	Smith (Elmore)
Edwards	McDuffie	Smith (Lee)
Glover	McMillan	Tunstall
Goodwyn	Norville	Urquhart
Haley	Parker	Weaver
Hoffman	Pitts (Perry)	White (Perry)
Hughston	Power	Williams
John	Pratt	Wolf
Johnson		

—58.

S. 303. To amend an act entitled an act, to authorize the court of county commissioners of Jefferson county to purchase claims against the fine and forfeiture fund of said county.

Was read a third time, at length, and passed .

Yeas, 58; nays, 0.

Yeas :

Messrs:—

Armstrong	Cooper	Killen
Ballard (Autauga)	Cranford	King
Ballard (Pike)	Edwards	Kirby
Barton	Glover	Lacy (Dallas)
Benness	Goodwyn	Lacy (Walker)
Bloch	Haley	Lee (Etowah)
Bulger	Hoffman	Lee (Houston)
Cannon	Hughston	Lindsey
Carmichael (Clay)	John	Long (Butler)
Carmichael (Colbert)	Johnson	Maner

Mitchell	Ragsdale	Sherrod
McCrory	Rainer	Smith (Elmore)
McDuffie	Ratray	Smith (Lee)
McMillan	Rice	Smith (Franklin)
Norville	Rowe	Tunstall
Parker	Rushton	Urquhart
Pitts (Perry)	Sample	Weaver
Power	Sanders	White (Perry)
Pratt	Sanford	Woolf
Pugh		

—58.

S. 342. To regulate the practice in the circuit court of Calhoun county.

Was read a third time, at length, and passed .

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Armstrong	Hughston	Pugh
Ballard (Autauga)	John	Ragsdale
Ballard (Pike)	Johnson	Rainer
Barton	Killen	Ratray
Benners	King	Rice
Benson	Kirby	Rowe
Bloch	Lacy (Dallas)	Rushton
Bulger	Lee (Etowah)	Sample
Cannon	Lee (Houston)	Sanders
Carmichael (Clay)	Lindsey	Sherrod
Carmichael (Colbert)	Mitchell	Smith (Elmore)
Cooper	McCrory	Smith (Lee)
Cranford	McDuffie	Tunstall
Doyle (Clark)	McMillan	Urquhart
Edwards	Norville	Vann
Elrod	Parker	Weaver
Glover	Pitts (Perry)	White (Perry)
Goodwyn	Power	Williams
Haley	Pratt	Woolf
Hoffman		

—58.

S. 341. To amend sections five and fifteen of an act entitled 'an act to declare the powers and jurisdictions of the city court of Anniston, approved December 9th,

1896, and to amend section ten of an act approved March 4th, 1903, entitled, 'an act to amend sections nine, ten and sixteen of an act to declare the powers and jurisdictions of the city court of Anniston, approved December 9th, 1896,' and to amend section two of an act approved December 13, 1900, entitled 'an act to amend sections four and eleven of an act entitled 'an act to declare the powers and jurisdiction of the city court of Anniston,' approved December 9th, 1896.'"

Was read a third time, at length, and passed .

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Armstrong	Hoffman	Pratt
Ballard (Autauga)	Hughston	Pugh
Ballard (Pike)	John	Ragsdale
Baltzell	Johnson	Rainer
Barton	Killen	Rattray
Benners	King	Rice
Bloch	Kirby	Rowe
Bulger	Lacy (Dallas)	Rushton
Cannon	Lee (Etowah)	Sample
Carmichael (Clay)	Lindsey	Sanders
Carmichael (Colbert)	Long (Butler)	Sherrod
Cooper	Mitchell	Smith (Elmore)
Cranford	McCrory	Smith (Lee)
Doyle (Clark)	McDuffie	Tunstall
Edwards	McMillan	Urquhart
Elrod	Norville	Weaver
Fuller	Parker	White (Perry)
Glover	Pitts (Perry)	Williams
Goodwyn	Power	Woolf
Haley		

—58.

H. 552. To require the sheriffs of the various counties of the State of Alabama, to procure from the office of the United States Internal Revenue Collector, a list of all persons, firms or corporations in their respective counties, to whom licenses have been issued for the sale

of spirituous, vinous or malt liquors, and to publish the same in some newspaper published in said counties.

Was read a third time, at length, and passed .

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Armstrong	Hoffman	Pitts (Perry)
Ballard (Autauga)	Hughston	Powell (Bullock)
Ballard (Pike)	John	Power
Barton	Johnson	Pratt
Benners	Killen	Pugh
Bloch	King	Rattray
Bulger	Kirby	Rice
Cannon	Lacy (Dallas)	Rowe
Carmichael (Clay)	Lacy (Walker)	Rushton
Carmichael (Colbert)	Lee (Etowah)	Sample
Coleman (Marshall)	Lee (Houston)	Sanders
Cooper	Lindsey	Seale
Cranford	Long (Butler)	Sherrod
Doyle (Clark)	Long (Morgan)	Smith (Elmore)
Edwards	Lovelady	Smith (Lee)
Elrod	Maner	Smith (Franklin)
Fuller	Mitchell	Tunstall
Glover	McCrory	Urquhart
Goodwyn	Parker	White (Lamar)
Haley	Pearson	White (Perry)

—60.

On motion of Mr. Sherrod, the bill, H. 552, was sent forthwith to the Senate without engrossment.

S. 249. To provide for the purchase of two surveyors transits for the two commissioned county surveyors for Calhoun county at the expense of Calhoun county.

Was read a third time, at length, and passed .

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Armstrong	Benners	Carmichael (Clay)
Ballard (Autauga)	Bloch	Carmichael (Colbert)
Ballard (Pike)	Bulger	Coleman (Marshall)
Barton	Cannon	Cooper

Cranford	Lacy (Walker)	Price
Doyle (Clark)	Lee (Etowah)	Pugn
Edwards	Lee (Houston)	Rattray
Elrod	Lindsey	Rice
Fuller	Long (Butler)	Rowe
Glover	Long (Morgan)	Rushton
Goodwyn	Lovelady	Sample
Haley	Maner	Sanders
Hoffman	Mitchell	Seale
Hughston	McCrory	Sherrod
John	Parker	Smith (Elmore)
Johnson	Pearson	Smith (Lee)
Killen	Pitts (Perry)	Smith (Franklin)
King	Powell (Bullock)	Urquhart
Kirby	Power	White (Perry)
Lacy (Dallas)	Pratt	Woolf

—60.

S. 74. To amend sections 1310 and 1313 of the Code of Alabama of 1896.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Armstrong	Gunter	McDuffie
Ballard (Autauga)	Haley	McMillan
Ballard (Pike)	Henley	Norville
Barton	Hoffman	Parker
Benners	Hughston	Pitts (Perry)
Bloch	John	Power
Bulger	Johnson	Pratt
Cannon	Killen	Pugh
Carmichael (Clay)	King	Ragsdale
Carmichael (Colbert)	Kirby	Rainer
Cooper	Lacy (Dallas)	Rattray
Cranford	Lee (Etowah)	Rice
Doyle (Clark)	Lee (Houston)	Rowe
Edwards	Lindsey	Rushton
Elrod	Long (Butler)	Sample
Glover	Mitchell	Sanders
Goodwyn	McCrory	Sherrod

Smith (Elmore)
Smith (Lee)

Tunstall
Urquhart

Weaver
White (Perry)

—58.

H. 828. To alter and re-arrange the boundaries of the town of Newberne, in Hale county, Alabama.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Armstrong

Barton

Benners

Bloch

Bulger

Carmichael (Clay)

Carmichael (Colbert)

Cooper

Cranford

Doyle (Clark)

Edwards

Elrod

Glover

Goodwyn

Haley

Hoffman

Hughston

John

Johnson

Killen

King

Kirby

Lacy (Dallas)

Lacy (Walker)

Lee (Etowah)

Long (Butler)

Lovelady

Mitchell

McCrary

McDuffie

McMillan

Norville

Parker

Pearson

Pitts (Perry)

Power

Pratt

Pugh

Ragsdale

Rainer

Rattray

Rice

Rowe

Rushton

Sample

Sanders

Sanford

Sherrod

Smith (Elmore)

Smith (Lee)

Tunstall

Urquhart

Weaver

Williams

Woolf

—55.

On motion of Mr. Tunstall, the bill, H. 828, was sent to the Senate without engrossment.

H. 829. To further regulate the fine and forfeiture fund of Hale county, Alabama.

Was read a third time at length and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Arrington

Ballard (Autauga)

Barton

Benners

Bloch

Bulger

Carmichael (Colbert)

Coleman (Marshall)

Cooper

Cranford	Lacy (Dallas)	Pugh
Doyle (Clark)	Lacy (Walker)	Rattray
Edwards	Lee (Etowah)	Rice
Elrod	Lindsey	Rowe
Fuller	Long (Butler)	Rushton
Glover	Long (Morgan)	Sample
Goodwyn	Lovelady	Sanders
Gunter	Maner	Seale
Haley	Mitchell	Sherrod
Hoffman	McCrory	Smith (Lee)
Hughston	Parker	Smith (Franklin)
John	Pearson	Tunstall
Johnston	Powell (Bullock)	Urquhart
Killen	Power	White (Lamar)
King	Pratt	White (Perry)
Kirby		

—55.

On motion of Mr. Tunstall, the bill, H. 829, was sent forthwith to the Senate without engrossment.

S. 332. To authorize the county commissioners of Perry county, Alabama, to appropriate annually from the funds of said county the sum of two hundred and fifty dollars for the use of the county board of education of said county to be used by said board for the sole and only purpose of advancing the interests of the public schools of said county.

Was taken up. Mr. Pitts, of Perry, moved that the bill, S. 332, be postponed until after the recess, and the motion was lost.

And the bill:

S. 332. To authorize the county commissioners of Perry county, Alabama, to appropriate annually from the funds of said county the sum of two hundred and fifty dollars for the use of the county board of education of said county to be used by said board for the sole and only purpose of advancing the interests of the public schools of said county.

Was read a third time, at length, and passed.

Yeas, 50; nays, 8.

Yeas:**Messrs:—**

Armstrong	Haley	Price
Arnold	Hoffman	Pugh
Baltzell	Hughston	Rice
Barton	John	Rowe
Benners	Killen	Rushton
Bloch	King	Sample
Bulger	Lindsey	Sanders
Cannon	Long (Morgan)	Seale
Carmichael (Clay)	Lovelady	Sherrod
Carmichael (Colbert)	Mitchell	Smith (Lee)
Coleman (Marshall)	McDuffie	Smith (Franklin)
Cooper	Norville	Tunstall
Cranford	Parker	Urquhart
Elrod	Pearson	Urquhart
Fuller	Powell (Bullock)	White (Lamar)
Glover	Power	White (Perry)
Goodwyn	Pratt	Woolf

—50.

Messrs:—**Nays:**

Ballard (Autauga)	Johnson	Kirby
Ballard (Pike)	Lacy (Dallas)	Ragsdale
Edwards	Long (Butler)	

—8.

H. 827. For the relief of Mrs. Leanna J. Humble, a resident of DeKalb county, indigent widow of David Humble, who was a confederate soldier, and a citizen of DeKalb county, Alabama, at the time of his death, making her a confederate pensioner under the act of the General Assembly of Alabama, approved the 10th day of Feb., 1899, and entitled "An act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows."

Was read a third time, at length, and passed.

Yeas, 61; nays, 0.

Yeas:

Messrs:—

Armstrong	Hughston	Pitts (Perry)
Ballard (Autauga)	John	Powell (Bullock)
Ballard (Pike)	Johnson	Power
Barton	Killen	Pratt
Benners	King	Price
Bulger	Kirby	Pugh
Cannon	Lacy (Dallas)	Ragsdale
Carmichael (Clay)	Lacy (Walker)	Rattray
Carmichael (Colbert)	Lee (Etowah)	Rice
Coleman (Marshall)	Lee (Houston)	Rowe
Cooper	Lindsey	Rushton
Cranford	Long (Butler)	Sanders
Doyle (Clark)	Leng (Morgan)	Sherrod
Edwards	Lovelady	Smith (Elmore)
Elrod	Maner	Smith (Lee)
Fuller	Mitchell	Smith (Franklin)
Glover	McCrory	Tunstall
Goodwyn	McMillan	Urquhart
Gunter	Parker	White (Lamar)
Haley	Pearson	White (Perry)
Hoffman		

—61.

On motion of Mr. Elrod, the bill, H. 827, was sent forthwith to the Senate without engrossment.

ADJOURNMENT.

The hour of 10 o'clock having arrived, under the rules the House adjourned until 10 o'clock Monday morning.

THIRTY-SIXTH DAY.

House of Representatives,
Monday, March 4, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Price of the House.

ROLL CALL.

On a call of the roll of the House the following members answered to their names:

Messrs:—

Alford	Jenkins	Powell (Bullock)
Armstrong	John	Powell (Covington)
Arnold	Johnston	Power
Ballard (Autauga)	Killen	Pratt
Ballard (Pike)	King	Price
Barton	Kirby	Pugh
Benners	Kernegay	Ragsdale
Bloch	Lacy (Dallas)	Rainer
Bulger	Lacy (Walker)	Rattray
Burney	Lancaster	Rice
Cannon	Lawson	Rowe
Carmichael (Clay)	Lee (Etowah)	Rushton
Carmichael (Colbert)	Lee (Houston)	Sample
Coleman (Lowndes)	Lindsey	Sanders
Coleman (Marshall)	Long (Butler)	Sanford
Cooper	Long (Morgan)	Seale
Cranford	Lovelady	Sherrod
Crum	Lyons	Smith (Elmore)
Doyle (Clark)	Maner	Smith (Lee)
Dudley	Middleton	Smith (Franklin)
Edwards	Mitchell	Steagall
Elrod	Moore	Tunstall
Foster	McCrory	Turner
Fuller	McDuffie	Urquhart
Glover	McMillan	Weaver
Goodwyn	Norville	White (Lamar)
Gunter	Parker	White (Perry)
Haley	Pearson	Williams
Hoffman	Pitts (Dallas)	Wolf
Hughston	Pitts (Perry)	

—89.

A quorum was present.

Mr. John offered the following resolution:

H. R. 204. Whereas, The House has lost its honored Speaker by death, and this has raised doubts in the

minds of members of the House, as to the power and right of the Speaker pro tem, to preside or sign bills.

Therefore be it resolved that the question be referred to the committee on the judiciary, with instructions to consider it immediately and report to the House what is the proper course to pursue.

On motion of Mr. John the rules were suspended and the resolution was adopted.

On motion of Mr. Long of Butler, the House recessed until the Judiciary committee could make the report, provided for in the above resolution.

REPORT FROM THE JUDICIARY COMMITTEE.

Mr. John from the standing committee on Judiciary, returned to the House the following report:

Mr. Speaker:

The standing committee on Judiciary, having considered the question referred to it by the House, as to the proper course to be pursued in view of the grave question raised by the death of the Speaker, as to the right and power of a Speaker pro tem, to sign bills, and of the power of the House to rescind the Joint Resolution, heretofore passed fixing the hour of adjournment of the Legislature, respectfully report that in view of the provisions of section 51 and section 66 of the Constitution, that, it is the safer course for the House to pursue, to elect a Speaker; and we therefore recommend that the House immediately elect a Speaker.

Respectfully submitted,

Sam Will John.
Chairman.

On motion of Mr. John the report of the committee was adopted.

ELECTION OF SPEAKER.

Mr. John presided, Mr. Steagall nominated Mr. Carmichael, of Colbert, for Speaker of the House of Representatives to succeed the late Hon. Wm. L. Martin.

Those who voted for Mr. Carmichael of Colbert, for Speaker of the House are:

Messrs:—

Alford	Jenkins	Power
Armstrong	John	Pratt
Arnold	Johnson	Price
Ballard (Autauga)	Killen	Pugh
Ballard (Pike)	King	Ragsdale
Barton	Kirby	Rainer
Benners	Kornegay	Rattray
Bloch	Lacy (Dallas)	Rice
Bulger	Lancaster	Rowe
Burney	Lawson	Rushton
Cannon	Lee (Etowah)	Sample
Carmichael (Clay)	Lee (Houston)	Sanders
Coleman (Lowndes)	Long (Butler)	Seale
Coleman (Marshall)	Long (Morgan)	Sherrod
Cooper	Lovelady	Smith (Elmore)
Cranford	Lyons	Smith (Lee)
Crum	Maner	Smith (Franklin)
Doyle (Clark)	Middleton	Steagall
Dudley	McCrory	Tunstall
Edwards	McDuffie	Turner
Elrod	McMillan	Urquhart
Foster	Norville	Vann
Fuller	* Parker	Weaver
Glover	Pearson	White (Lamar)
Goodwyn	Pitts (Dallas)	White (Perry)
Haley	Pitts (Perry)	Williams
Hoffman	Powell (Bullock)	Woolf
Hughston	Pewell (Covington)	

—83.

Mr. Carmichael of Colbert, having received a majority of all the votes cast, was declared duly and constitutionally elected Speaker of the House of Representatives.

OATH OF OFFICE.

Mr. Carmichael of Colbert, appeared and the oath of office as Speaker of the House of Representatives was administered to him by Mr. John of the House.

JOURNAL.

The Chairman of the standing committee on Revision of the Journal made the following report:

Mr. Speaker:

Your Committee on the Revision of the Journal beg leave to report as follows:

We have examined the Journal for the thirty-fifth day and find the same to be correct.

H. B. Steagall, Chairman.

The report of the committee was concurred in and the Journal of the 35th day was approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Lacey of Dallas and Killen indefinitely, and to Mr. Lee of Houston, for Wednesday.

H. J. R. 205, by Mr. John.

JOINT RESOLUTION.

Resolved by the House, the Senate concurring, that the Joint Resolution heretofore passed providing for an adjournment today, for the recess be, and the same is hereby rescinded.

2nd That the legislature when it adjourns today, adjourn to meet again at 9 a. m. on Wednesday next, and that the legislature adjourn on that day until the 9th day of July, 1907.

3rd. That in view of the peculiar condition of the business of the legislature the presiding officers of the two Houses are requested to sign all bills and resolutions ready for their signatures on this day.

On motion of Mr. John the Rules were suspended and the Resolution was adopted.

On motion of Mr. Foster, the standing committee on Rules were directed to prepare suitable resolutions of respect and sympathy on the death of Hon. Wm. L. Martin, late Speaker of the House of Representatives.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Your committee on Enrolled Bills having examined the following House bills and joint resolutions beg leave to report the same correctly enrolled :

H. 668. To provide for the participation of the State of Alabama in the Jamestown Exposition to be held on and near the waters of Hampton Roads, in the State of Virginia, in the year nineteen hundred and seven, in commemoration of the first permanent settlement made in the United States, by English speaking people, in the year sixteen hundred and seven.

H. 654. To relieve Cyrus Jones, Jr., as the only legal heir of Cyrus Jones, Sr., Dec'd., by refunding to him money, amounting to \$250.20, belonging to the estate of the said Cyrus Jones, Sr., deceased, which escheated to the State of Alabama for lack of a claimant, as shown by the minute entries of the probate court of Madison county, Alabama, Vol. 30, page 42, and further evidenced by treasurer's receipt No. 510 A. D. 1905.

H. 655. To establish a dispensary in and for the town of Dayton in the county of Marengo, State of Alabama, and to provide for the conduct and regulation of the same.

H. J. R. 203. Relates to payment of expenses of joint committees appointed to visit the "Alabama Industrial School" and Soldier's Home at Mountain Creek.

H. 478. To prohibit the sale, giving away, or otherwise disposing of alcoholic, spirituous, vinous or malt liquors, intoxicating bitters, wines, or fruits preserved in such intoxicants within precinct number seventeen, known as Warrior precinct in the county of Jefferson, State of Alabama, and to repeal the present local law for the town of Warrior under which saloons are now operated.

H. 787. To fix the time of holding the circuit courts in the counties of Perry and Bibb.

H. 237. To establish a normal school for education of white male and female teachers at Daphne, in Baldwin county, Alabama.

H. 725. To amend section 3 of an act entitled an act to regulate the trials of misdemeanors in the county of Macon, approved February the 18th, 1891.

H. 222. To amend section two (2) of an act to establish the inferior court of Demopolis precinct, Marengo county, Alabama, in lieu of all justices of the peace therein to be called city court of Demopolis approved Sept. 26th, 1903, and by adding section 14 to said act.

H. 806. To better provide for maintaining, working, and repairing the public roads of Henry county, Alabama.

H. 689. To fix the terms of the circuit court of Madison county and to dispense with grand juries in said court, except when specially ordered by the judge.

H. 66. To regulate the sale of corn meal.

H. 793. To fix the salary of the Chancellor of the northwestern chancery division of Alabama, at the sum of forty-five hundred (\$4,500.00) dollars per annum, and to provide for the payment of as much thereof out of the State treasury as shall be paid to other chancellors, and for the payment of the remainder thereof out of the treasury of Jefferson county.

H. 39. To authorize the courts of county commissioners of the several counties, and other courts of like jurisdiction, to compromise certain claims in favor of the counties.

H. 581. To fix the salary of the judge of probate court of the city of Birmingham, Alabama.

H. 756. To amend section one of an act entitled "an act to incorporate the town of Sulligent in the county of Lamar, State of Alabama," approved February 12th, 1897.

H. 699. To repeal an act entitled an act to provide for the running at large of domestic live stock in the precincts of Hazel Green and all that section of Hurricane lying north of the line that formerly divided the precinct of Hurricane from the precinct of Maysville, Madison county, (approved February 9th, 1901.)

H. 333. To make appropriations for the expenses of encampment, maneuvers and target practice of the Ala-

bama National Guard for the years 1907; 1908; 1909 and 1910.

H. 373. To provide for an election by the qualified electors of Tuscaloosa county to determine whether the sale, barter, exchange giving away or otherwise disposing of vinous, spirituous or malt liquors intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters and proprietary medicines and to prohibit the shipping into said county by any common carrier and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or malt liquors intoxicating beverages bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous vinous or malt liquors intoxicating beverages bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts.

H. 846. To authorize the commissioners court of Conecuh county to divide said county into road precincts and to appoint road overseers to have supervision of the public roads in said county, and to direct and prescribe the duties of said overseers and the duties of road apportioners in said county, and to provide for and define the duties of said overseers and apportioners and to authorize the commissioners court of Conecuh county to purchase for said county the necessary teams, tools, road machines, implements and plows to be used for constructing, repairing, working and improving the public roads in said county and to provide for the construction and improvement of the public roads of Conecuh county and to prescribe who shall work on the public roads in Conecuh county and to provide for a road tax in lieu of

work on the public roads of Conecuh county and to provide for the appropriation of funds by the commissioners court of Conecuh county for the construction, repairing, working and improving the public roads in said Conecuh county; to prevent the obstruction of and damage to the public roads of Conecuh county and to prescribe punishment for obstructing or damaging the public roads in Conecuh county.

H. 371. To provide for the inspection of jails and almshouses and cotton mills or factories.

H. 799. To provide for the working, repairing, maintaining and improving the public roads of Pickens county, Alabama.

H. 619. To repeal an act entitled an act, to prohibit the sale or giving away of alcoholic, spirituous, vinous or malt liquors within 6 miles of Nances Creek Methodist church in Calhoun county, Alabama, or within the limits of precinct twelve, Coffee county; or within the limits of Carpenter's precinct in Jackson county; or within four miles of Mt. Nebo church in precinct twenty-seven; Thompson's Camp Grounds or Holy Tree in Bishop's precinct, all within the county of Jackson, or within four miles of the public school building in the city of Bridgeport, in the county of Jackson, or within three miles of Weeping Mary church in beat eight, Lee county; or within three miles of Friendship Baptist church in Crenshaw county; or within three miles of Zada church, Rama church, Union Hill church, precinct two, Henry county; or within two miles of Mary Baptist church, precinct or beat fourteen, in Tallapoosa county; or within five miles of Pleasant Grove Baptist church in precinct nine, in Henry county; or within township twenty, range twenty-three in Tallapoosa county; or within four miles of Liberty Baptist church and Young's Chapel Methodist church, Etowah county; or within two miles of Green Hill church, and school house of Green Hill in Lauderdale county; or within Ashville beat, No. 1, in St. Clair county; or within three miles of Pierce's Chapel M. E. church, beat 7, Lee county; or within two miles of Clintonville academy in Coffee county; or within three miles of White

Oak M. E. church, beat 5, in Barbour county; or within three miles of Cave Springs Baptist church, beat 11, in Etowah county; or within three miles of Marvin Chapel church in Pickens county; or within beat nine, in Limestone county; all of the within places are within the State of Alabama, and within five miles of Smith's Chapel, Jackson county; or within the corporate limits of the town of Guin, in Marion county; or within five miles of Canaan church and Woodland church, in Lauderdale county; and to repeal all laws heretofore passed prohibiting the sale, giving away or otherwise disposing of alcoholic, vinous or malt liquors, or other intoxicating drinks or beverages, or fruits preserved in alcoholic liquors within five miles of Pierce Chapel Methodist church in beat 7, Lee county, so far as said laws relate to the territory within five miles of Pierce Chapel Methodist church, passed by the General Assembly of Alabama 1892-1893, and approved on the 21st day of February, 1893, in so far as the same relates to the prohibition of the sales or giving away of alcoholic, spirituous, vinous or malt liquors, within three miles of Zada church, Rama church and Union Hill church, in Houston county, Alabama."

H. 233. To appropriate the sum of fifty thousand dollars (\$50,000) to the Alabama schools for the Deaf and Blind.

H. 323. To provide necessary funds for maintenance repairs, improvements, apparatus and additions to the Medical College of Alabama.

H. 671. To make an appropriation to the Alabama Polytechnic Institute in lieu of the share of the proceeds arising from the sale of fertilizer tags now paid to the said Institute.

H. 623. To amend section 2584 of the code of 1896.

H. 741. To make subject to taxation and to fix the franchises, or intangible property and assets of every person, association, company and corporation engaged as common carrier in this State in the business of transporting persons or property over any railroad, including street railroads, or in the business of operating any cars over any railroad for the transportation of freight or

passengers, including sleeping cars, parlor or palace cars, dining cars, chair cars, tank cars, and cars of any other kind; or engaged in operating for gain any telegraph or telephone lines or plant or business; or in operating any plant or business for the production, manufacture, distribution or sale of gas, water, electricity, electric power, electric light, steam heat, oil, refrigerated air, or other like substances, by means of pipes, wires, or conduits passing on, over, under or through any territory, street alley or highway in this State; or in the business of operating for gain, dockage, wharfage, canal, freight or passenger depots, stations or terminals, or engaged in any other business which may be dependent upon the grant of public powers or privileges, or which may involve the operation of any public utility; and to provide for the valuation and manner of ascertaining the values of such franchises; or intangible properties, and the distribution of the same for local taxation, and the levy, assessment and collection of said taxes thereon.

H. 615. To amend sections 1321 and 1322 of the code of 1896.

H. 769. To better provide for the revenue of the State and the more efficient assessment and collection of taxes, and for this purpose to create a commission to be known as the State Tax Commission of Alabama; and to prescribe the powers and duties of said commission, and its mode of procedure, and to abolish the office of State Tax Commissioner.

J. S. Williams, Chairman.

SIGNING BILLS.

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report of the Standing Committee on Enrolled Bills.

RESOLUTION.

The following resolution was introduced.

By Mr. Maner :

H. J. R. 206. Resolved, by the House, the Senate concurring, that a committee of five be appointed, consisting of three from the House and two from the Senate, as a committee on the arrangements for the funeral of the Honorable Wm. L. Martin, late Speaker of the House of Representatives.

On motion of Mr. Maner the Rules were suspended and the resolution was adopted.

The Speaker named on said committee on the part of the House, Messrs. Maner, Gunter and Goodwyn.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has passed the following House bills :

H. 715. To authorize the court of county commissioners or board of revenue of any county authorized to levy a special tax for working the public roads to transfer to the road fund any surplus of general county funds in the county treasury.

H. 835. To authorize municipal corporations to levy and collect a license on all exhibitions, trades, business, vocations, occupations, and professions which are now or may hereafter be engaged in or carried on within the limits of such municipal corporation.

H. 845. To grant to any person, firm or corporation acquiring necessary lands on both sides of a navigable river, and organized for the purpose of developing water power and electrically transforming and distributing the same, for the use of the public, to construct dams and locks in navigable rivers for the development of water power. To grant perpetual and exclusive easements for power purposes to and in the waters and beds of said rivers and to exempt the property of such person, firm or corporation used for the development and transmission

of such power from taxation for a period of (10) ten years.

H. 819. To dissolve the board of trustees of the Medical College of Alabama, and to vest the ownership and control of the property of the medical college in the board of trustees of the University of Alabama.

H. 831. To fix the salary of the judge of the 10th judicial circuit of the State of Alabama at the sum of forty-five hundred (\$4,500.00) dollars per annum, and to provide for the payment of as much thereof out of the State treasury as shall be paid to other circuit judges of the State of Alabama, and for the payment of the remainder thereof out of the treasury of Jefferson county.

H. 767. To amend section 7, of an act approved October 1, 1903, to amend an act to establish the Tuscaloosa county law and equity court, so as to fix the salary of the judge of said court at twenty-seven hundred dollars per annum payable monthly.

And returns same to the House.

And has amended as therein shown and as amended has passed the following bills:

H. 805. To amend section one (1) and two (2) of an act entitled "An act to confer additional rights and powers including the right to acquire by purchase, or by condemnation lands and easements, upon corporations organized under the general laws or heretofore under a special act of the General Assembly of the State of Alabama, and upon corporations organized under the laws of any other State of the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture, supply and sell power, produced by water as a motive force," approved October 1st, 1903; and to add sections 8 1-2 and 9 1-2 of said act defining the duties, of such corporations to the public.

H. 202. For the additional relief of needy Confederate soldiers and sailors, who are resident citizens of the

State of Alabama, and their widows, by the appropriation of three hundred thousand dollars annually for the years 1907, 1908, 1909, 1910.

And herewith returns same to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Haley the House concurred in the Senate amendment to the bill H. 805, said Senate amendment being as follows:

Amend after "another" in line three, page 3, "person association or," and in line five, page 3, after "factory" the words "or other industries using water power."

Yeas, 61; nays, 0.

Yeas:

Messrs:—

Speaker

Armstrong

Arnold

Ballard (Pike)

Benners

Bloch

Bulger

Burney

Carmichael (Clay)

Coleman (Lowndes)

Coleman (Marshall)

Cooper

Cranford

Crum

Dudley

Edwards

Elrod

Foster

Fuller

Glover

Goodwyn

Gunter

Haley

Hoffman

John

Johnson

King

Kornegay

Long (Butler)

Long (Morgan)

Lovelady

Lyons

Middleton

Mitchell

McCrory

McMillan

Pearson

Pitts (Dallas)

Pitts (Perry)

Powell (Bullock)

Power

Pratt

Price

Pugh

Ragsdale

Rainer

Rattray

Rice

Rowe

Rushton

Sample

Sanders

Seale

Smith (Lee)

Smith (Franklin)

Turner

Urquhart

Vann

White (Lamar)

White (Perry)

Williams

—61.

And on motion of Mr. McCrory the House concurred in the Senate amendment to the bill, H. 202. Said Senate amendment being as follows:

By Mr. McCrory:

Substitute for H. B.202.

A BILL

To be entitled an act for the additional relief of needy confederate soldiers and sailors, who are resident citizens of the State of Alabama, and their widows, by the appropriation of three hundred and fifty thousand dollars annually for the fiscal year beginning on the first day of October 1907, on the first day of October, 1908, on the first day of October, 1909, and on the first day of October, 1910, and to fix the amount and manner of paying the same.

Section 1. Be it enacted by the legislature of Alabama, That the sum of three hundred and fifty thousand dollars be and is hereby appropriated out of the treasury annually, for the fiscal year beginning on the first day of October, 1907, on the first day of October, 1908, on the first day of October, 1909 and on the first day of October 1910, for the additional relief of needy confederate soldiers and sailors, who are resident citizens of the State of Alabama, and their widows, said appropriation herein provided for being in addition to the amount of the appropriation of fifty thousand dollars, heretofore made by the legislature of Alabama.

Section 2. Be it further enacted that the said appropriation herein provided for and all moneys appropriated in any manner to the relief of needy confederate soldiers and sailors and their widows shall be paid quarterly, that, on the first day of October, January, April and July of said fiscal years, there shall be paid to pensioners of the first class the sum of twenty-five dollars, to pensioners of the second class, the sum of twenty dollars, to pensioners of the third class the sum of sixteen dollars, and to pensioners of fourth class the sum of twelve dollars and fifty cents, for each quarter, in the same manner as pensioners are now paid; provided that if the amounts appropriated and due said pensioners are

not sufficient to pay said amount to be paid on first day of July of said fiscal year, then the amount on hand for said last quarter shall be divided among all said pensioners pro rata; provided further, that if there is on hand for said pensioners an amount more than enough to pay the amount as herein provided for the last quarter in any fiscal year, then said overplus shall be divided among all the pensioners pro rata.

Section 3. Be it further enacted that all laws and parts of laws in conflict with this act are hereby repealed.

Amendment to substitute for H. B. 202, which substitute was offered by the Senate committee on Finance and Taxation.

Amend by adding at the end of section 2 of said substitute the following:

Provided that all needy Confederate soldiers and sailors, and widows of such soldiers and sailors, who are resident citizens of this State, and who other than as to residents within this State are entitled to such pensions under the laws of this State, shall have and enjoy the benefits of the appropriations hereby made.

Section 2 1-2. That the special tax of one mill on each one dollar of the taxable property of the State levied and collected under the laws of this State shall be applied for the benefit of such soldiers, sailors and widows, in like manner as the funds hereby specifically appropriated are directed by law to be applied.

Amend captain by striking out the word "additional."

Yeas, 67; nays, 0.

Yeas:

Messrs:—

Speaker	Cannon	Dudley
Armstrong	Carmichael (Clav)	Edwards
Arnold	Coleman (Lowndes)	Elrod
Ballard (Autauga)	Coleman (Marshall)	Foster
Ballard (Pike)	Cooper	Fuller
Benners	Cranford	Glover
Bloch	Crum	Goodwyn
Bulger	Doyle (Clark)	Gunter

Haley	Parker	Sample
Hughston	Pearson	Sanders
John	Pitts (Dallas)	Seale
Kornegay	Pitts (Perry)	Sherrod
Lacy (Walker)	Powell (Bullock)	Smith (Elmore)
Long (Butler)	Power	Smith (Lee)
Long (Morgan)	Pratt	Smith (Franklin)
Lovelady	Price	Steagall
Lyons	Pugh	Turner
Maner	Ragsdale	Urquhart
Middleton	Rainer	Weaver
Mitchell	Rice	White (Lamar)
McCrory	Rowe	White (Perry)
McDuffie	Rushton	Williams
McMillan		

—67.

APPOINTMENT OF MEMBER OF RULES COMMITTEE.

The Speaker appointed Mr. Foster as a member of the Standing Committee on Rules to fill the vacancy caused by the death of Hon. Wm. L. Martin.

MESSAGE FROM THE SENATE.

The Senate has concurred in H. J. R. 205 relative to rescinding the Joint Resolution heretofore adopted fixing a day for recess, and fixing Wednesday the 6th inst. for the date of adjournment.

And the Senate concurred in House amendments to S. 175. To further regulate and prohibit the dealing in future contracts in the State of Alabama.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in H. J. R. 206, relative to a committee of five being appointed to make arrangements for the funeral of Hon. Wm. L. Martin, late Speaker of the House of Representatives.

Committee on part of the Senate: Messrs. Thomas and Lusk.

J. A. Kyle, Secretary.

ADJOURNMENT.

On motion of Mr. Maner the House adjourned until Wednesday morning at 9 o'clock as a mark of further respect to Hon. Wm. L. Martin, late Speaker of the House.

THIRTY-SEVENTH DAY.

House of Representatives,
Wednesday, March 6, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Price of the House.

ROLL CALL.

On a call of the roll of the House the following members answered to their names:

Messrs:—

Speaker	Cranford	Lacy (Walker)
Alford	Crum	Lancaster
Armstrong	Doyle (Clark)	Lawson
Arnold	Dudley	Lee (Barbour)
Arrington	Edwards	Long (Butler)
Ballard (Autauga)	Glover	Long (Morgan)
Ballard (Pike)	Goodwyn	Lovelady
Benners	Gunter	Lyons
Bloch	Haley	Maner
Brown	Fenley	Middleton
Bulger	Hoffman	Mitchell
Burney	Hughston	McCrory
Cannon	Jenkins	McDuffie
Carmichael (Clay)	John	Norville
Coleman (Lowndes)	Johnson	Parker
Coleman (Marshall)	King	Pearson
Cooper	Kirby	Peete

Pitts (Dallas)	Rice	Smith (Franklin)
Pitts (Perry)	Rowe	Steagall
Powell (Bullock)	Rushton	Thompson
Powell (Covington)	Sample	Tunstall
Power	Sanders	Turner
Pratt	Sanford	Urquhart
Price	Seale	Vann
Pugh	Sherrod	Weaver
Rainer	Smith (Elmore)	White (Perry)
Rattray	Smith (Lee)	

—79.

A quorum was present.

JOURNAL.

The chairman of the standing committee on Revision of the Journal made the following report:

Mr. Speaker:

Your committee on the revision of the Journal beg leave to report as follows:

We have examined the Journal for the thirty-sixth day and find the same to be correct.

R. C. Smith,
Acting Chairman.

The report of the committee was concurred in, and the Journal for the 36th day was adopted.

LEAVE OF ABSENCE.

Leave of absense was granted to Messrs. Williams, Elrod, Woolf, Lee and Kornegay for today, and Robert Hasson, doorkeeper, for today.

PRIVILEGES OF THE FLOOR.

On motion of Mr. Sanford, the privileges of the floor were extended to Hon. J. A. Joiner of Talladega for today.

On motion of Mr. Ballard, of Autauga, the privileges of the floor were extended to Hon. T. B. Love, a former member of the House.

REPORT OF RULES COMMITTEE.

Mr. John, from the standing committee on Rules returned to the House the following resolutions with a favorable report:

By Mr. John:

H. R. 202. Resolved, that S. bill 372, to establish police commissions in cities of 35,000 population or more, in counties of 100,000 or more population and to define their terms of office, duties and powers, be made a continuing, paramount, special order for March 6, 1907, immediately after the revision of the Journal and after S. 165.

And the resolution was adopted.

By Mr. Carmichael, of Colbert:

H. R. 207. Resolved, That Senate bill No. 330, to regulate charges on excess baggage on all railroads propelled by steam or electricity in this State over five miles in length, be made a special paramount continuing order for to-day after special orders for today.

And the resolution was adopted.

By Mr. Carmichael, of Colbert:

H. R. 208. Resolved by the House of Representatives, That the clerk, assistant clerk, and two assistants, to be named by the clerk, be and they are hereby authorized to work for three weeks, or so much of that time as may be necessary, during the recess of the legislature, to complete and bring up to date the clerical work in the clerk's office; and that for such services the same per diem be allowed as such officers draw during the session of the legislature.

And the resolution was adopted.

By Mr. John :

H. J. R. 209. Be it resolved by the legislature of Alabama, that neither House shall put upon its passage any bill, after five o'clock p. m. to day, March 6th, 1907.

And the resolution was adopted.

COMMUNICATION IN WRITING.

Montgomery, Ala., March 2nd, 1907.

Hon. A. H. Carmichael,
Speaker Pro Tem.,
House of Representatives.

Dear Sir:—On behalf of the Alabama division, United Daughters of Confederacy, we tender through you our sincere thanks to the members of the House of Representatives for the liberal appropriation voted for the maintenance of the Soldier's Home at Mountain Creek.

Our division is especially gratified at the sum appropriated by the act for hospital purposes. With the aid of this last, the care and comfort of the sick veterans are assured. This has been one of the special works of our Division for the past two years.

Again thanking you and your associate members, we remain,

Very respectfully,
Mrs. Frank H. Elmore,
Mrs. Wm. A. Gayle,
Mrs. John A. Kirkpatrick,
Miss Addie Beaumont.
Soldier's Home Committee,
Alabama Division, U. D. C.

On motion of Mr. John, the above communication was ordered spread upon the Journal.

Mr. Carmichael of Colbert, Speaker of the House, chairman of the standing committee on Rules, offered the following resolution of respect on the death of Hon. Wm. L. Martin, late Speaker of the House of Representatives.

RESOLUTIONS OF RESPECT.

Hon. Wm. L. Martin, Speaker of the House of Representatives of Alabama, lawyer, patriot and friend has been called from a useful and busy life to a higher and happier estate. In every endeavor he heard above the din and confusion of tongues the clear voice of duty which he followed with undimmed eye, vigorous intellect and conscience void of offense.

The people of Alabama have honored her distinguished son and he has given the best proof of appreciation and fitness by faithful service and distinguished achievements.

A comprehensive and profound knowledge of the law placed him among the tallest members of a bar which has always been noted for strength; and the successful codification of the laws of Alabama added lustre to his name.

As a legislator, as in every other capacity conscience was his guide. He was diligent and fervent in enacting laws for the betterment of the condition of his people, impartial and skilfull as a presiding officer and at all times accessible to the appeals of the high and the lowly.

Mr. Martin's private life was clean and beautiful and his sweet devotion to home and loved ones was open as a book and impressive.

But the gavel has fallen from his nerveless grasp and he has answered to the roll call on the banks of the river under the shade of the trees whose leaves are for the healing of the nations.

Therefore be it resolved, By the House of Representatives of Alabama:

1. That we bow with humble submission to the good Law Giver and Father who makes no mistakes and who cares for the dead as well as the living.

2. That the State has lost a wise public servant—an incorruptible patriot.

3. That we sympathize with the grief stricken family of our departed friend in their desolation and pray that

the Heavenly Father may comfort them even as a mother comforteth her children.

4. That these resolutions be spread upon the Journal of the House.

Respectfully submitted,
 A. H. Carmichael,
 Sam Will John,
 O. C. Maner,
 A. M. Tunstall,
 J. M. Foster,
 H. B. Steagall,
 Committee.

On motion of Mr. John, the resolution was ordered spread upon the Journal, and that further consideration of the resolution be postponed until the second legislative day, after the recess, in order that a committee from the Senate, may participate in the memorial exercises.

The Speaker announced the following committee of conference on the disagreement of the two Houses on the Senate amendment to the bill H. 243, Messrs. Rushton Smith of Lee, and Sherrod.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills having examined the following House bills beg leave to report the same correctly enrolled:

H. 819. To dissolve the board of trustees of the Medical College of Alabama and to vest the ownership of the property of the Medical College in the board of trustees of the University of Alabama.

H. 835. To authorize municipal corporations to levy and collect a license tax on all exhibits, trades, business, vocations, occupations, and professions which are now or may hereafter be engaged in or carried on within the limits of such municipal corporation.

H. 767. To amend section 7 of an act approved Oct. 1st, 1903, to amend an act to establish the Tuscaloosa county law and equity court so as to fix the salary of

the judge of said court at twenty-seven hundred dollars per annum payable monthly.

H. 831. To fix the salary of the judge of the 10th judicial circuit of the State of Alabama at the sum of forty-five hundred (\$4,500.00) dollars per annum, and to provide for the payment of as much thereof out of the State treasury as shall be paid to other circuit judges of the State of Alabama, and for the payment of the remainder thereof out of the treasury of Jefferson county.

H. 767. To amend section 7 of an act approved Oct. 1st, 1903, to amend an act to establish the Tuscaloosa county law and equity court so as to fix the salary of the judge of said court at twenty-seven hundred dollars per annum payable monthly.

H. 715. To authorize the court of county commissioners or board of revenue of any county authorized to levy a special tax for working the public roads to transfer to the road fund any surplus of general county fund in the county treasury.

H. 202. For the relief of needy confederate soldiers and sailors who are resident citizens of the State of Alabama, and their widows, by the appropriation of three hundred and fifty thousand dollars annually for the fiscal year beginning on the first day of October, 1907, on the first day of October, 1908, on the first day of October, 1909, and on the first day of October, 1910, and to fix the amount and manner of paying the same.

H. 845. To grant to any person, firm or corporation acquiring necessary lands on both sides of a navigable river, and organized for the purpose of developing water power and electrically transforming and distributing the same for the use of the public, to construct dams and locks in navigable rivers for the development of water power. To grant perpetual and exclusive easements for power purposes to and in the waters and beds of said rivers.

J. S. Williams, Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dis-

pensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the committee on Enrolled Bills.

RESOLUTIONS.

The following Resolutions were introduced:

By Mr. Armstrong:

H. R. 210. Resolved by the House that the Rules be suspended to-day and speeches limited to three minutes, unless unanimous consent is given to speak longer.

And the resolution was referred to the Committee on Rules.

By Mr. Weaver:

H. R. 211. Be it resolved by the House that the Speaker of the House be and he hereby is made a member of the committee to read and revise the manuscript of the new Code of Alabama.

On motion of Mr. Weaver the Rules were suspended and the resolution was adopted.

By Mr. Maner:

H. J. R. 212. Resolved by the House of Representatives, the Senate concurring therein, that the governor be requested by the legislature to pay such funeral expenses of the late Wm. L. Martin, Speaker of the House of Representatives, as meet his approval, out of the contingent fund, subject to his disposal and report the same to the two Houses after the recess.

On motion of Mr. Maner the Rules were suspended and the Resolution was adopted.

By Mr. Pitts, of Perry:

H. J. R. 213. Resolved by the House, the Senate concurring, that the committee heretofore provided for to investigate and report whether or not there is a trust

or combination between the fertilizer factories shall also investigate and report whether or not there is any trust or combination between the cotton seed oil mills.

And the Resolution was referred to the Committee on Rules.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Sherrod:

H. 877. To regulate the charges on excess baggage, personal and excess baggage, merchandise, on all railroads over ten miles in length propelled by steam or electricity, between points in this State.

Commerce and Common Carriers

By Mr. Hoffman, (with notice and proof):

H. 878. To grant to the city of Mobile, Alabama, all right or title which the State of Alabama has in and to the shore and bed of Mobile river, between the channel line and the high-water line of Mobile river, within the limits of the city of Mobile, and to regulate the use thereof.

Municipal Organization.

Notice and proof H. B. 878.

The State of Alabama, }
Mobile County. }

Personally appeared before me James A. Shelton, clerk of the city court of Mobile, the undersigned Jno. Martin, who being first duly sworn, deposes and says that he is the manager of The Unionist, a newspaper published in the city and county of Mobile, and that the subjoined notice was duly published in said newspaper once each week for four consecutive weeks, that is to say:

NOTICE.

Notice is hereby given of the intention to apply to the Legislature of Alabama for the passage of a local or special law, the substance of which will be to grant to the city of Mobile all rights, title or privilege which the State has in and to the shore and bed of Mobile river between the channel line and high water line of Mobile river, within the city limits of the city of Mobile as the same may be altered and re-arranged, conferring upon the authorities authorized by law to manage wharf property in said city, the power to regulate the use of such rights, privileges, etc., leasing, holding or improving the same as in their judgment may be best for the public good, and for the disposition of the revenues derived therefrom.

Jno. Martin.

Subscribed and sworn to before me this 19th day of January, 1907.

James A. Shelton,

Clerk of the City Court of Mobile.

By Mr. Lyons, (with notice and proof) :

H. 879. To dissolve the quarantine board of Mobile bay and provide for the disposition of its assets.

Municipal Organization.

Notice and Proof. H. 879.

The State of Alabama, }
Mobile County. }

Before me, Palmer Pillans, a notary public in and for said State and county, this day personally appeared Thomas B. Allman, who being by me first duly sworn, on oath says: That he is the cashier of the Herald Publishing Company, publisher of the Mobile Daily Herald, a newspaper published in the city and county of Mobile and State of Alabama, and that he has personal knowledge of the facts in this affidavit contained; that there was inserted and published in the said newspaper, the Mobile Daily Herald, the notice, copy of which is append-

ed to this affidavit as a part hereof, on the following days, that is to say: upon December 28th, 1906, and in the issue of the said newspaper for that date, and on January 4th, January 11th and January 18th, 1907; that is to say that the said notice was published once a week for four consecutive weeks commencing with the issue of December 28th, 1906. Thomas B. Allman.

Subscribed and sworn to before me this 22nd day of February, A. D., 1907. Palmer Pillans,
Notary Public Mobile County, Alabama.

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama at the next regular session thereof, commencing in January, 1907, for the passage of an act to dissolve and wind up the quarantine board of Mobile bay and to provide for the conversion of its property into money, and distribution of the money remaining in its hands by a return to the city and county of Mobile respectively, of sums equal to the sums which were heretofore advanced by said city and county respectively, and by the payment to the State treasurer of the balance then remaining in hand.

By Mr. Lacy, of Walker:

H. 880. To amend section 1485 of the Code of Alabama.

Judiciary.

By Mr. Foster:

H. 881. To prescribe the effect of the non-payment of taxes on any mortgage, deed of trust or written contract of conditional sale, on suits for the enforcement thereof and collection of debts secured thereby, and on foreclosure thereof, under power of sale.

Judiciary.

By Mr. Foster, by request, (with notice and proof):

H. 882. To authorize the board of county commissioners of Tuscaloosa county to purchase and keep for the use of said county, man dogs not exceeding six in num-

ber at any one time, and to pay for said dogs and their support and keeping out of the general fund of the county.

Penitentiary and Criminal Administration.

Notice and Proof. H. 882.

The State of Alabama, }
Tuscaloosa County. }

Before me, B. B. Cooper, clerk of the circuit court in and for said State and county, personally appeared John Wills, who being duly sworn, deposes and says that he is the manager of the Tuscaloosa Times-Gazette, a newspaper published in said county, that the attached notice was published in the said The Tuscaloosa Times-Gazette, once a week for four consecutive weeks, the first publication being made January 29th, 1907, and the last publication being made February 19, 1907.

John Wills,
Manager Times-Gazette.

Notice is hereby given that application will be made to the Legislature of Alabama during the session of 1907 to enact into law a bill to authorize the court of county commissioners for Tuscaloosa county to purchase and keep on hand for the use of the county, man-dogs not exceeding six in number at any one time, and to pay for them and their support and keeping out of any money in the treasury not otherwise appropriated.

Sworn to and subscribed before me Feb. 19, 1907.

B. B. Cooper,
Clerk.

By Mr. Foster, by request, (with notice and proof) :

H. 883. To authorize the board of county commissioners of Tuscaloosa county to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, and to pay from the general fund of the county such sum or sums of money as said board may deem necessary or proper for such purpose.

Local Legislation.

Notice and Proof. H. 883.

The State of Alabama, }
Tuscaloosa County. }

Before me, B. B. Cooper, clerk of the circuit court in and for said State and county, personally appeared John Wills, who being duly sworn, deposes and says that he is the manager of the Tuscaloosa Times-Gazette, a newspaper published in said county, that the attached notice was published in the said The Tuscaloosa Times-Gazette, once a week for four consecutive weeks, the first publication being made January 29th, 1907, and the last publication being made February 19, 1907.

John Wills,
Mgr. Times-Gazette.

Notice is hereby given that application will be made to the Legislature of Alabama during the session of 1907 to enact into law a bill authorizing the board of county commissioners of Tuscaloosa county to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa for the benefit of the public, and to pay from the general fund of the county such sum or sums of money as said commissioners may deem necessary or proper from time to time.

January 29th, 1907.

Sworn to and subscribed before me Feb. 19, 1907.

B. B. Cooper,
Clerk.

By Mr. Foster, (by request) (with notice and proof) :

H. 884. To authorize the board of mayor and aldermen of the city of Tuscaloosa to maintain or to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, for the benefit of the public, and to prescribe rules for the government of same, and to pay out of the general fund of the city such sums of money as the said city board deems necessary for the maintenance, or part maintenance, of said wagon yard or lot.

Local Legislation.

Notice and Proof. H. 884.

The State of Alabama, }
Tuscaloosa County. }

Before me, B. B. Cooper, clerk of the circuit court in and for said State and county, personally appeared John Wills, who being duly sworn, deposes and says that he is the manager of The Tuscaloosa Times-Gazette, a newspaper published in said county, that the attached notice was published in the said The Tuscaloosa Times-Gazette, once a week for four consecutive weeks, the first publication being made January 20, 1907, and the last publication being made February 19, 1907.

John Wills,
Mgr. Times-Gazette.

Notice is hereby given that application will be made to the Legislature of Alabama during the session of 1907 to enact into law a bill authorizing the board of mayor and aldermen of the city of Tuscaloosa, Alabama, to maintain or contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa for the benefit of the public, and prescribe rules for the government of same, and to pay out of the general fund of the city such sums of money as the said city board deems necessary for the maintenance, or part maintenance of said wagon yard or lot.

January 29th, 1907.

Sworn to and subscribed before me Feb. 19, 1907.

B. B. Cooper,
Clerk.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate insists on its amendments to H. B. 491, to fix and provide for the salaries of city officers in the cities of the State of Alabama, having a population of over twenty-five thousand inhabitants.

The committee on the part of the Senate: Messrs. Teasley, Overton and Reese.

And herewith sends same to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The House acceded to the request of the Senate for a committee of conference on the disagreement of the two Houses, to the Senate amendments to H. 491.

Committee on part of the House: Messrs. John, Gunter and Lyons.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has received a message from his excellency the governor, with his objections to and proposed amendments of Senate bill 128:

S. 128. To confer jurisdiction of all misdemeanors on the county court of Clarke county, and to define the jurisdiction of said court, to regulate the practice therein, to provide for a judge, solicitor and clerk of said court and to fix their compensation.

And the Senate has amended the bill as proposed by adopting and concurring in such proposed amendments.

Yeas, 21; nays, 0.

Which is a majority of the whole number elected to the Senate.

And the Senate sends said bill with the governor's message to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Pugh, the House concurred in and adopted the amendment proposed by the governor, to the bill S. 128, said governor's amendment being as follows:

1. Amend the caption of said bill so as to read as follows:

"A bill to be entitled an act to create and establish a criminal court of record of Clarke county, Alabama, to be known and styled as the county court of Clarke county, Alabama; to define the jurisdiction of said court; to regulate the practice therein; to provide for a judge, solicitor, and clerk of said court, and to fix their compensation."

2. Amend section one of said bill so as to read as follows:

"Be it enacted by the Legislature of Alabama that a criminal court of record, to be known and styled as the county court of Clarke county, Alabama, is hereby created and shall have jurisdiction of all misdemeanors committed in said county."

3. Amend section nineteen of said bill by inserting immediately after the word county in line number six the following words: "Upon the certificate of the clerk of said court to the treasurer showing the amount due said judge, which shall be a preferred claim against said fine and forfeiture fund."

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Powell (Covington)
Armstrong	Henley	Power
Arnold	Hoffman	Price
Ballard (Autauga)	Hughston	Pugh
Ballard (Pike)	John	Rainer
Benners	Johnson	Rattray
Bulger	King	Rice
Burney	Kirby	Rowe
Carmichael (Clay)	Lacy (Walker)	Rushton
Coleman (Lowndes)	Long (Butler)	Sample
Coleman (Marshall)	Maner	Sanford
Cooper	Mitchell	Seale
Cranford	McDuffie	Smith (Elmore)
Crum	Norville	Smith (Lee)
Doyle (Clark)	Parker	Smith (Franklin)
Edwards	Pearson	Thompson
Fuller	Peete	Tunstall
Glover	Pitts (Dallas)	Urquhart
Goodwyn	Pitts (Perry)	Weaver
Gunter	Powell (Bullock)	White (Perry)

—60.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following resolution:

Resolved by the Senate, that the House be requested to return House bill No. 805:

H. 805. To amend sections one (1) and two (2) of an act entitled "An act to confer additional rights and powers including the right to acquire by purchase, or by condemnation lands and easements, upon corporations organized under the general laws or heretofore under a special act of the general assembly of the State of Alabama, and upon corporations organized under the laws of any other State of the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture, supply and sell power produced by water as a motive force," approved October 1st, 1903; and to add sections 8 1-2 and 9 1-2 to said act defining the duties of such corporations to the public.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The House acceded to the request of the Senate, and returned to the Senate the bill, H. 805.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill, S. 165.

And the bill:

S. 165. To establish a State livestock sanitary board and the office of State veterinarian in order to further protect livestock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama.

Was read a third time, at length, and passed.

Yeas, 55; nays, 2.

Yeas:

Messrs:—

Speaker	Ballard (Pike)	Burney
Armstrong	Benners	Carmichael (Clay)
Arnold	Bloch	Coleman (Lowndes)
Ballard (Autauga)	Bulger	Coleman (Marshall)

Cooper	Lyons	Eushten
Edwards	Maner	Sample
Fuller	Mitchell	Sanders
Glover	McDuffie	Seale
Goodwyn	Parker	Sherrod
Haley	Pearson	Smith (Elmore)
Henley	Pitts (Dallas)	Smith (Lee)
Hoffman	Powell (Bullock)	Smith (Franklin)
Jenkins	Power	Thompson
John	Pugh	Tunstall
Johnson	Rainer	Turner
King	Rattray	Urquhart
Kirby	Rice	Vann
Long (Morgan)	Rowe	Weaver
Lovelady		

—55.

Nays:

Messrs:—

Cannon

Pitts (Perry)

—2.

Mr. Maner moved that the Speaker appoint on committee of conference on the part of the House, to H. 610, in lieu of Messrs. Woolf and White of Lamar, who were absent on account of sickness. The motion prevailed, and the Speaker appointed Messrs. White of Perry, and Bloch in lieu of Messrs. Woolf and White of Lamar.

MESSAGE FROM THE GOVERNOR.

On motion of Mr. Rice, the House concurred in and adopted the amendment proposed by the governor to the bill, H. 245, said governor's amendment being as follows:

To the House of Representatives:

I return herewith House bill No. 245, entitled "An act to provide for the better equipment and support of the University of Alabama and to appropriate funds therefor;" and I propose the following amendment to said bill, which will remove my objection thereto:

Amend section 3 of said bill by adding at the end thereof the following words: "Provided, however, that

the appropriation of one hundred thousand dollars made in section 2 of this act shall not be available, and the auditor shall not draw his warrant for any part of said sum, except upon the requisition of the board of trustees of the University of Alabama, or the president thereof, approved by the governor."

B. B. Comer,
Governor.

Montgomery, Ala., March 6, 1907.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Power
Armstrong	Henley	Price
Arnold	Hoffman	Pugh
Ballard (Autauga)	Hughston	Rainer
Bailard (Pike)	John	Rattray
Benners	Johnson	Rice
Bulger	King	Rowe
Burney	Kirby	Rushton
Cannon	Long (Butler)	Sanders
Carmichael (Clay)	Lovelady	Sanford
Coleman (Lowndes)	Lyons	Sherrod
Coleman (Marshall)	Mitchel	Smith (Elmore)
Cooper	McCrory	Smith (Lee)
Crum	McDuffie	Smith (Franklin)
Doyle (Clark)	Norville	Steagall
Edwards	Pearson	Thompson
Fuller	Pitts (Dallas)	Turner
Glover	Pitts (Perry)	Vann
Goodwyn	Powell (Bullock)	Weaver
Gunter		

—58.

GOVERNOR'S MESSAGE.

On motion of Mr. Long, of Butler, the House concurred in and adopted the amendment proposed by the governor, to the bill, H. 639, said governor's amendment being as follows:

Montgomery, Ala., March 6, 1907.

To the House of Representatives:

I return herewith House bill No. 769, entitled "An act to better provide for the revenue of the State and the more efficient assessment and collection of taxes, and for this purpose to create a commission to be known as the State tax commission of Alabama; and to prescribe the powers and duties of said commission, and its mode of procedure, and to abolish the office of State tax commissioner." And I propose the following amendment to said bill, which will remove my objections thereto:

Amend subdivision 6 of section 9 of said bill by adding at the end thereof the following words:

"Provided, however, that where such person, partnership, company, association or corporation is not engaged in a business which is subject to a tax on gross receipts, or on capital employed in this State, or on franchise, or on intangible property, the said tax commission shall not inquire into, nor shall it require information as to the liabilities, earnings, profits and loss, expenses or conduct of business of such person, partnership, company, association or corporation."

B. B. Comer,
Governor.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Lyons
Armstrong	Glover	Mitchell
Ballard (Autauga)	Gunter	McDuffie
Benners	Haley	Norville
Burney	Henley	Pearson
Cannon	Hoffman	Pitts (Perry)
Carmichael (Clay)	Hughston	Powell (Bullock)
Coleman (Lowndes)	John	Power
Cooper	Johnson	Price
Cranford	Kirby	Pugh
Crum	Long (Butler)	Rainer
Doyle (Clark)	Long (Morgan)	Rattray
Edwards	Lovelady	Rice

Rowe	Sherrod	Turner
Rushton	Smith (Elmore)	Thompson
Sample	Smith (Lee)	Urquhart
Sanders	Smith (Franklin)	Vann
Seale	Steagall	Weaver

—54.

GOVERNOR'S MESSAGE.

On motion of Mr. Long, of Butler, the House concurred in and adopted the amendment proposed by the governor, to the bill, H. 611, said governor's amendment being as follows:

To the House of Representatives:

I herewith return H. B. No. 611, entitled "An act to provide for the revenue of the State by requiring all foreign corporations authorized to do business in this State under the laws of the State of Alabama to pay an annual franchise tax; and I propose the following amendment, which will remove my objection to said bill:

Amend section one by striking out subdivisions "C" and "D" and inserting in lieu thereof the following:

"C." Each foreign corporation whose actual amount of capital employed in this State exceeds one thousand dollars shall pay an annual franchise tax of twenty-five percentum on the first one hundred dollars of such actual amount of capital employed in this State by it, and five percentum upon all such actual capital employed by it in this State in excess of one hundred dollars and up to and including one thousand dollars, and one-tenth of one per centum upon all such remaining actual amount of capital employed in this State by it over and above one thousand dollars.

B. B. Comer,
Governor.

March 6, 1907.

Yeas, 55; nays, 1.

Yeas:

Messrs:—

Speaker	Ballard (Pike)	Burney
Armstrong	Benners	Cannon
Ballard (Autauga)	Bulger	Carmichael (Clay)

Coleman (Lowndes)	Kirby	Rice
Coleman (Marshall)	Lacy (Walker)	Rushton
Cooper	Long (Butler)	Sanders
Cranford	Long (Morgan)	Sanford
Crum	Lyons	Seale
Doyle (Clark)	Mitchell	Sherrod
Edwards	McCrary	Smith (Elmore)
Fuller	McDuffie	Smith (Lee)
Glover	Norville	Smith (Franklin)
Gunter	Pearson	Steagall
Haley	Pitts (Perry)	Thompson
Henley	Powell (Bullock)	Turner
Hoffman	Pugh	Urquhart
Hughston	Rainer	Vann
John	Rattray	Weaver
King		

—55.

Nays:

Mr. Pitts (Dallas)

—1.

GOVERNOR'S MESSAGE.

On motion of Mr. Long, of Butler, the House concurred in and adopted the amendments proposed by the governor to the bill, H. 615, said governor's amendments being as follows:

To the House of Representatives:

I herewith return H. B. No. 615, entitled "An act to amend sections 1321 and 1322 of the Code of 1896"; and I propose the following amendment to said bill which will remove my objection thereto:

"Amend section 1 of said bill by striking out the words "up to \$100,000.00, and 1-20 of one per cent on all such actual amount of capital in excess of \$100,000.00 up to \$1,000,000.00. Each foreign corporation whose actual amount of capital employed in this State is in excess of \$1,000,000.00 shall pay a charter fee of 25 per centum of the first \$100.00 up to \$1,000.00, and 1-10 of one per centum on all such actual amount of capital so employed in excess of \$1,000.00 up to \$100,000.00 and 1-20 of one per centum of all such actual amounts of capital so em-

played in excess of \$100,000.00 up to \$1,000,000.00, and upon all such actual amount of capital so employed in excess of \$1,000,000.00 it shall pay 1-40 of one per centum."

Also amend said section by striking out the following words "provided foreign corporations whose principal or sole business is lending money shall not be required to pay more than 1-40 of one per centum upon the amount of capital employed in this State by it."

Mar. 6, 1907.

B. B. Comer, Governor.

Yeas, 54; nays, 0. -

Yeas:

Messrs:—

Speaker	Henley	Rainer
Armstrong	Hughston	Rattray
Ballard (Autauga)	Jenkins	Rice
Ballard (Pike)	John	Rowe
Benners	King	Rushton
Burney	Kirby	Sanders
Cannon	Lacy (Walker)	Sanford
Carmichael (Clay)	Long (Butler)	Seale
Coleman (Lowndes)	Long (Morgan)	Sherrod
Coleman (Marshall)	Lovelady	Smith (Elmore)
Cooper	Middleton	Smith (Lee)
Cranford	Mitchell	Smith (Franklin)
Doyle (Clark)	McCrary	Steagall
Edwards	McDuffie	Thompson
Fuller	Pitts (Perry)	Turner
Glover	Powell (Bullock)	Urquhart
Gunter	Price	Vann
Haley	Pugh	Weaver

—54.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted and concurred in conference report on H. 30.

H. 30. To define who are delinquent children and to provide for their arrest, care and reformation.

And has adopted the following resolution:

Resolved by the Senate, the House of Representatives concurring, that only such bills as by final passage through either House may be perfected shall be consid-

ered. That after one o'clock p. m. only signing of bills and such other formal matters necessary to perfecting bills already passed be considered by either House. That the two Houses meet at 3 p. m. and continue in session until all bills passed are enrolled and signed.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Senate joint resolution, set out in the above and foregoing message from the Senate, was read one time and referred to the standing committee on Rules.

REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

The conferees of the Senate and House of Representatives, appointed on the disagreeing votes of the two Houses on H. B. 30, "To define who are delinquent children and to provide for their arrest, care and reformation" and the amendments adopted thereto by the Senate, having considered the bill and amendments, respectfully report and recommend:

1. That the House concur in the Senate amendment, striking out of section 1, of the bill the words, "or sling shots."

2. That the Senate recede from all the other amendments adopted by the Senate, and in lieu thereof, adopt this amendment to section 2, of the bill: "Provided, that the courts named in this section shall not have jurisdiction of or over boys charged with any assault upon a girl or woman, who shall be proceeded against and tried as prescribed by law before the enactment hereof," and when this amendment is adopted by the Senate, that the House do concur therein.

C. M. Sherrod,
Jere C. King,
Sam Will John,

Conferees on part of the House.

John A. Lusk,
H. E. Reynolds,
H. P. Merrill,

Conferees on part of Senate.

On motion of Mr. John, the House concurred in and adopted the conference report on the disagreement of the two Houses on the Senate amendment to the bill:

H. 30. To define who are delinquent children and to provide for their arrest, care and reformation.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Price
Armstrong	Hoffman	Pugh
Ballard (Autauga)	Hughston	Rainer
Ballard (Pike)	Jenkins	Rattray
Benners	John	Rice
Burney	King	Rowe
Cannon	Kirby	Rushton
Carmichael (Clay)	Lacy (Walker)	Sample
Coleman (Lowndes)	Lancaster	Sanford
Coleman (Marshall)	Long (Morgan)	Sherrod
Cooper	Lyons	Smith (Elmore)
Cranford	Middleton	Smith (Lee)
Crum	Mitchell	Smith (Franklin)
Doyle (Clark)	McCrory	Steagall
Edwards	McDuffie	Thompson
Fuller	Parker	Turner
Glover	Pearson	Urquhart
Goodwyn	Pitts (Perry)	Vann
Gunter	Powell (Bullock)	Weaver
Haley		

—58.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in and adopted the H. J. R. 212:

Resolved by the House of Representatives, the Senate concurring therein, that the governor be requested by the Legislature to pay such funeral expenses of the late William L. Martin, Speaker of the House of Representatives, as meet his approval out of the contingent fund subject to his disposal and report the same to the two Houses after the recess.

J. A. Kyle,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended, as therein shown, and as amended has passed the following bill:

H. 692. To amend sections 6, 9, 10, 16, 17, 19, and 20, of an act entitled "an act to provide for the redistricting of the public schools of the State and for the management and control of same," approved September 30, 1903.

And has passed the following bill:

H. 735. To provide for and regulate the working of the public roads in Tallapoosa county.

And returns same to the House.

And the Senate has adopted and concurred in the amendments proposed by his excellency, the governor, to

H. 179. To make appropriation for the maintenance of the Alabama Industrial School for White Boys for the years 1907, 1908, 1909, and 1910.

And herewith returns same to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Arnold, the House concurred in and adopted the Senate amendment to the bill, H. 692, said Senate amendment being as follows:

Amend section three of the bill by adding after the words "for which he was elected" these words: Shall be eligible to election as a county trustee And strike out the words "nor any person actively engaged in teaching in the public schools in this State shall be eligible to election as a county trustee" where they occur in section 3 of the bill and insert in lieu thereof these words: "nor shall more than one teacher actively engaged in teaching in the public schools in this State be a member of said county board of education at one and the same time."

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Power
Armstrong	Hoffman	Price
Ballard (Autauga)	Hughston	Pugh
Ballard (Pike)	Jenkins	Rainer
Benners	John	Rattray
Bulger	Johnson	Rowe
Burney	King	Rushton
Cannon	Kirby	Sample
Carmichael (Clay)	Lacy (Walker)	Sanders
Coleman (Lowndes)	Lancaster	Sherrod
Coleman (Marshall)	Lovelady	Smith (Lee)
Cooper	Lyons	Smith (Franklin)
Cranford	Maner	Steagall
Crum	Middleton	Thompson
Dudley	Mitchell	Tunstall
Edwards	McCrory	Turner
Fuller	Pearson	Urquhart
Glover	Pitts (Dallas)	Vann
Gunter	Pitts (Perry)	Weaver
Haley	Powell (Bullock)	

—59.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution, No. 52, by Mr. Reynolds:

S. J. R. 52. Be it resolved by the Senate, the House concurring, that all committees and commissioners consisting of members of the Legislature which have been appointed or selected to sit during the recess shall draw the same per diem for each member of each of said committees or commissioners and the auditor on the order of the respective chairmen of each of said commissions or committees shall so draw his warrant on the treasurer as to conform to the spirit of this resolution.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The S. J. R. No. 52, set out in the above and foregoing message from the Senate, was read one time and referred to the standing committee on Rules.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended, as therein shown, and as amended has passed the following House bill:

H. 805. To amend sections one (1) and two (2) of an act entitled "An act to confer additional rights and powers including the right to acquire by purchase, or by condemnation lands and easements, upon corporations organized under the general laws or heretofore under a special act of the General Assembly of the State of Alabama, and upon corporations organized under the laws of any other State of the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture, supply and sell power produced by water as a motive force," approved October 1st, 1903; and to add sections 8 1-2 and 9 1-2 to said act, defining the duties of such corporations to the public.

And returns same to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Carmichael of Colbert (Mr. Urquhart presiding) the House concurred in and adopted the Senate amendment to the bill H. 805, said Senate amendment being as follows:

Amend by inserting after the word factory in line 10, page 3, the words "or other industry using water power."

And after "manufactory" in line 17, page 3, add the word "or other industry using water power."

Yeas, 64; nays, 0.

Yeas:
Messrs:—

Speaker	Henley	Power
Armstrong	Hoffman	Price
Arnold	Hughston	Pugh
Ballard (Autauga)	Jenkins	Rainer
Ballard (Pike)	John	Rattray
Benners	Johnson	Rice
Bloch	King	Rushton
Bulger	Kirby	Sample
Burney	Lacy (Walker)	Sanders
Cannon	Lancaster	Sanford
Carmichael (Clay)	Long (Butler)	Sherrod
Coleman (Lowndes)	Lovelady	Smith (Elmore)
Coleman (Marshall)	Lyons	Smith (Lee)
Cooper	Mitchell	Smith (Franklin)
Cranford	McCrory	Steagall
Crum	McDuffie	Thompson
Doyle (Clark)	Parker	Turner
Edwards	Pearson	Urquhart
Fuller	Pitts (Dallas)	Vann
Glover	Pitts (Perry)	Weaver
Gunter	Powell (Bullock)	White (Lamar)
Haley		

—64.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 149. For the relief of A. A. Heard, an ex-confederate soldier, being a resident of Marion county, Alabama.

H. 566. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous, or malt liquors, or other intoxicating drinks within five miles of Foley and within two and one half miles of the Episcopal church at Magnolia Springs, Alabama.

H. 557. To amend an act entitled an act, to amend an act entitled an act, to regulate the issue of garnishments and the proceedings thereon in the county of Morgan, approved Dec. 9, 1896, so that said act shall read as follows:

H. 630. To amend an act to incorporate the town of Jackson, Clarke county, Alabama, approved February 15th, 1897.

H. 678. To ratify and make legal the warrants issued to the probate judge and sheriff of Walker county, Alabama, for services rendered in holding the county court of said county from March 6th, 1903, to June 9th, 1905.

H. 679. To ratify and make legal claims against the fine and forfeiture fund of Walker county all claims issued from March 6th, 1903, to June 9th, 1905, to the sheriff and circuit clerk of said county against said fund for services performed in and for the court acting as the county court of Walker county, and for the circuit court while said court was held or attempted to be held under what was known as the 14th judicial circuit act approved March 6th, 1903.

H. 732. To make a supplemental appropriation for the payment of the increased salaries of the judicial officers of this State.

And herewith returns the same to the House.

J. A. Kyle,
Secretary.

BILL ON THIRD READING.

S. 358. To provide for the extension of the corporate limits of cities and towns having one thousand inhabitants or more, and fixing the rights, powers, duties, liabilities, and jurisdictions of the city or town over the territory brought into the corporate limits, and the rights of the inhabitants thereof, and to provide for the apportionment between the city or town and county of the road and bridge tax collected by the county on the property within the city, and the expenditure of the funds by the city.

Was read a third time, at length, and passed.

Yeas, 60; nays, 1.

Yeas:

Messrs:—

Speaker	Ballard (Pike)	Bulger
Armstrong	Benners	Burney
Ballard (Autauga)	Bloch	Cannon

Carmichael (Clay)	King	Pugh
Coleman (Lowndes)	Kirby	Rainer
Coleman (Marshall)	Lacy (Walker)	Rattray
Cooper	Lancaster	Rice
Cranford	Long (Morgan)	Rowe
Crum	Lovelady	Rushton
Doyle (Clark)	Lyons	Sample
Edwards	Maner	Sanders
Fuller	Mitchell	Sanford
Glover	McCrory	Seale
Goodwyn	Parker	Sherrod
Gunter	Pearson	Smith (Lee)
Haley	Pitts (Dallas)	Smith (Franklin)
Henley	Pitts (Perry)	Steagall
Jenkins	Powell (Bullock)	Thompson
John	Power	Turner
Johnson	Price	Urquhart

—60.

Nays:

Mr. Long (Butler)

—1.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills having examined the following House bills, beg leave to report the same correctly enrolled:

H. 566. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating drinks within five miles of Foley and within two and one-half miles of the Episcopal church at Magnolia Springs, Alabama.

H. 732. To make a supplemental appropriation for the payment of the increased salaries of the judicial officers of this State.

H. 678. To ratify and make legal the warrants issued to the probate judge and sheriff of Walker county, Alabama, for services rendered in holding the county court of said county from March 6, 1903, to June 9, 1905.

H. 630. To amend an act to incorporate the town of Jackson, Clarke county, Alabama, approved February 15th, 1897.

H. 735. To provide for and regulate the working of the public roads in Tallapoosa county.

H. 179. To make appropriation for the maintenance of the Alabama Industrial School for White Boys for the years 1907, 1908, 1909, and 1910.

H. 149. For the relief of A. A. Heard, an ex-confederate soldier, being a resident of Marion county, Alabama.

H. 679. To ratify and make legal claims against the fine and forfeiture fund of Walker county all claims issued from March 6th, 1903, to June 9th, 1905, to the sheriff and circuit clerk of said county against said fund for services performed in and for the court acting as the county court of Walker county, and for the circuit court while said court was held or attempted to be held under what was known as the 14th judicial circuit act approved March 6th, 1903.

H. 557. To amend an act entitled an act to amend an act entitled an act, to regulate the issue of garnishments and the proceedings thereon in the county of Morgan, approved Dec. 9, 1896 .

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after their titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report of the standing committee on Enrolled Bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills, your signature thereto is requested:

S. 12. To define, prohibit and punish aiding and abetting or counseling or procuring an unlawful sale, purchase, gift or other unlawful disposition of spirituous, vinous or malt liquors, or other liquors prohibited by law from being sold, given or otherwise disposed of.

S. 69. To amend sections 897 and 911 of chapter 19, article 1, of the Code of Alabama.

S. 74. An act to amend sections 1310 and 1313 of the Code of Alabama of 1896.

S. 154. To define and regulate public warehouses for the storage of cotton or other articles of value for compensation, and to provide a punishment for the violation of the provisions of this act.

S. 207. To amend an act approved March 4th, 1903, entitled an act to create a Text Book Commission, and to procure for use in the public free schools in this State, a uniform series of text books; to define the duties and powers of said commission and other officers; to make an appropriation for the carrying into effect of this act; to provide punishment and penalty for the violation of the same.

S. 219. To provide for the revocation of the license or right to engage in or carry on the business of the transportation, originating and terminating in this State, of freight, or passengers, of any foreign corporation which is now engaged, or which may hereafter engage, in such business, or the business of common carrier in this State, in the event such corporation shall for any of the purposes specified in this act, institute in any Federal court any suit or proceeding or shall remove or cause to be removed to any Federal court any suit or proceeding instituted in any State court for any of the purposes specified in this act.

S. 249. To provide for the purchase of two surveyors transits for the two commissioned county surveyors for Calhoun county at the expense of Calhoun county.

S. 261. To ratify and make legal all claims issued to State witnesses from March 6th, 1903, to June 9th, 1905, by the clerk of the circuit court of Walker county, or by the judge of the county court of Walker county, or by the person acting as and claiming to be judge of the

county court of said county, or the clerk or person acting as clerk of said court, or issued by the foreman of any grand jury organized under what is known as the 14th judicial circuit act, approved March 6th, 1903.

S. 188. To provide that under certain conditions an election may be held in the several counties in Alabama, each county acting by and for itself only, as to whether municipal corporations in such counties shall have authority to buy and sell, spirituous, vinous and malt liquors; to provide that the voters at said election shall vote for dispensary or against dispensary, to declare the result and effect of said election, to define the term dispensary, as used in said act, to provide that in those counties in which, at the election aforesaid, a majority of the votes are cast "For Dispensary" the municipal corporations in said counties shall have authority to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors; to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporations through their dispensaries, to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof, and to further regulate the sale of liquors in said counties; this act not being intended, however, to repeal or effect any law which prohibits the sale of liquors in any county or part of a county, or to repeal or affect any law which authorizes municipal corporations to buy and sell liquors in any county or part of a county by and through dispensaries.

S. 264. To amend section 2 of an act entitled "an act to establish a charter for the town of Lineville, Clay county, Alabama," approved December 14th, 1898.

S. 292. An act to authorize the chief justice and associate justices of the supreme court to appoint two secretaries for the supreme court, and to fix their compensation and make appropriation therefor.

S. 301. To dispose of all surplus monies coming into the fine and forfeiture fund of Jefferson county, Alabama.

S. 303. To amend an act entitled an act, to authorize the court of county commissioners of Jefferson county to purchase claims against the fine and forfeiture fund of said county.

S. 328. To re-arrange and extend the corporate limits of the town of Linden, Marengo county, Alabama.

S. 329. To grant to towns and cities which own and operate dispensaries the power to contract with the governing body of the county in which such town or city is situated to give to such county fifty per cent of the net revenue of such dispensary for the purpose of paying interest upon, and providing a sinking fund for the redemption of, any bonds issued by such county for the purpose of constructing public roads in such county.

S. 332. To authorize the county commissioners of Perry county, Alabama, to appropriate annually from the funds of said county the sum of two hundred and fifty dollars for the use of the county board of education of said county to be used by said board for the sole and only purpose of advancing the interests of the public schools of said county.

S. 334. To vacate and annul that part of Twenty-seventh street, in the city of Birmingham, Alabama, lying between First avenue, north, and Tenth avenue, north, in said city, as a public street or highway and to annul and extinguish the dedication thereof.

S. 335. To vacate and annul the alleyways in blocks 204, 205 and 206; the east half of the alleyway in block 207, and the east half of the alleyway in block 203, in the city of Birmingham Alabama; also all that part of Fourth avenue, north, lying between Twenty-sixth street, north, and Twenty-seventh street, north, in said city also all that part of Sixth avenue, north, extending from the boundary line between lots 18 and 19 in block 207 in said city (if projected across said avenue) to the western boundary line of Twenty-seventh street, also that part of Third avenue, in said city extending from the boundary line between lots 15 and 16

in block 204, in said city (if projected across said avenue) to the western boundary line of Twenty-seventh street.

S. 341. To amend sections five and fifteen of an act entitled an act to declare the powers and jurisdictions of the city court of Anniston, approved December 9th, 1896, and to amend section ten of an act approved March 4th, 1903, entitled an act to amend sections nine, ten and sixteen of an act to declare the powers and jurisdictions of the city court of Anniston, approved December 9th, 1896, and to amend section two of an act approved December 13th, 1900 entitled an act to amend sections four and eleven of an act entitled an act to declare the powers and jurisdiction of the city court of Anniston, approved December 9th, 1896.

S. 342. To regulate the practice in the circuit court of Calhoun county.

S. J. R. No. 42. A resolution to appoint a committee to examine into combination or trust among and between manufacturers of guano and fertilizers and to inquire into violation of the law concerning guano and fertilizer.

S. 175. To further regulate and prohibit the dealing in future contracts in the State of Alabama.

S. 272. To authorize cities and towns in the State of Alabama, to provide for the drainage thereof by sanitary and storm water sewers, ditches, surface drains, acqueducts and canals, to prescribe rules and regulations for the installation of plumbing, to enforce connection with and the use of such sewers or drains, and to regulate the same.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate bills and the S. J. R. No. 42, the titles to which are set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in and adopted the amendments proposed by the governor to the following House bills:

H. 615. To amend sections 1321 and 1322 of the Code of 1896.

Yeas, 22; nays, 2.

H. 611. To further provide for the revenue of the State, by requiring all foreign corporations authorized to do business in this State under the laws of the State of Alabama, to pay an annual franchise tax.

Yeas, 22; nays, 2.

H. 769. To better provide for the revenue of the State and the more efficient assessment and collection of taxes, and for this purpose to create a commission to be known as the State Tax Commission of Alabama; and to prescribe the powers and duties of said commission; and its mode of procedure and to abolish the office of State tax commissioner.

Yeas, 21; nays, 1.

H. 245. To provide for the better equipment and support of the University of Alabama, and to appropriate funds therefor.

Yeas, 22; nays, 1.

Which was in each case a majority of the whole number elected to the Senate, and the Senate returns same herewith to the House.

J. A. Kyle,
Secretary.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill:

S. 372. To establish police commissions in cities of 35,000 population, or more, in counties of 125,000 or more population and to define their terms of office, duties and powers.

Mr. Urquhart offered the following amendment to the bill, S. 372:

Amend by adding the following:

Section 7. This act shall not be effective in any city to which it applies until same shall be first ratified by a majority of the qualified electors, voting at a general election to be held therein for city officers.

Mr. Glover moved that the bill, S. 372, and pending amendment, be postponed until after the recess, and the motion was lost.

And the amendment offered by Mr. Urquhart to the bill, S. 372, was lost.

Yeas, 13; nays, 56.

Yeas:

Messrs:—

Arrington	Lacy (Walker)	Seale
Coleman (Lowndes)	Pitts (Dallas)	Tunstall
Glover	Pitts (Perry)	Urquhart
Goodwyn	Powell (Bullock)	Vann
Johnson		

—13.

Nays:

Messrs:—

Speaker	Fuller	Lyons
Armstrong	Gunter	Maner
Arnold	Haiey	Mitchell
Ballard (Autauga)	Henley	McDuffie
Ballard (Pike)	Hoffman	Norville
Benners	Hughston	Pearson
Bloch	Jenkins	Price
Bulger	John	Pugh
Burney	King	Rainer
Cannon	Kirby	Rattray
Carmichael (Clay)	Lancaster	Rice
Cooper	Lawson	Rowe
Cranford	Lee (Barbour)	Rushton
Crum	Long (Butler)	Sample
Doyle (Clark)	Long (Morgan)	Sanders
Edwards	Lovelady	Sanford

Sherrod	Steagall	Weaver
Smith (Elmore)	Thompson	White (Perry)
Smith (Franklin)	Turner	

—56.

And the bill:

S. 372. To establish police commissions in cities of 35,000 population, or more, in counties of 125,000 or more population, and to define their terms of office, duties and powers.

Was read a third time at length, and passed.

Yeas, 65; nays, 5.

Yeas:

Messrs:—

Speaker	Haley	Pearson
Armstrong	Henley	Powell (Bullock)
Arnold	Hoffman	Power
Ballard (Autauga)	Hughston	Price
Ballard (Pike)	Jenkins	Rainer
Benners	John	Rattray
Bloch	King	Rice
Bulger	Kirby	Rowe
Burney	Lacy (Walker)	Rushton
Cannon	Lancaster	Sample
Carmichael (Clay)	Lawson	Sanders
Coleman (Lowndes)	Lee (Barbour)	Sanford
Coleman (Marshall)	Long (Butler)	Sherrod
Cooper	Long (Morgan)	Smith (Lee)
Cranford	Lovelady	Smith (Franklin)
Crum	Lyons	Steagall
Doyle (Clark)	Maner	Thompson
Dudley	Mitchell	Turner
Edwards	McCrory	Vann
Fuller	McDuffie	Weaver
Goodwyn	Nerville	White (Perry)
Gunter	Parker	

—65.

Nays:

Messrs:—

Glover	Seale	Urquhart
Pitts (Perry)	Tunstall	

—5.

REPORT OF RULES COMMITTEE.

Mr. John, from the standing committee on Rules, returned to the House the following resolutions with a favorable report:

By Mr. Pitts, of Perry:

H. J. R. 213. Resolved by the House, the Senate concurring, that the committee heretofore provided to investigate and report whether or not there is a trust or combination between the fertilizer factories shall also investigate and report whether or not there is any trust or combination between the cotton seed oil mills.

And the resolution was adopted.

By Mr. Carmichael, of Colbert:

H. R. 214. Resolved, that for today the morning session of the House be extended until final adjournment for the day and that the House recess from 1:30 till 3 p. m. and from 5:30 till 8 p. m.

And the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bills:

S. 367. To dissolve the board of trustees of the Medical College of Alabama and to vest the ownership and control of the property of the medical college in the board of trustees of the University of Alabama.

S. 377. To exempt members of volunteer fire companies, in incorporated towns and cities, from military and jury duties and from the payment of poll and street taxes, and to provide for their incorporation.

S. 322. To amend sections 1 and 6 of an act entitled an act to incorporate the town of Marion, in Perry county, as a separate public school district, approved February 5, 1877.

And sends same to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing message from the Seneate, were severally read one time and referred to appropriate standing committees, as follows:

Education, S. 367, S. 322.

Judiciary, S. 377.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has received a message from his excellency, the governor, with his objections to and proposed amendments of Senate bill 175:

S. 175. To further regulate and prohibit the dealing in future contracts in the State of Alabama.

And the Senate has amended the bill as proposed by concurring in and adopting such proposed amendment.

Yeas, 26; nays, 0.

And the Senate sends said bill, with the governor's message, to the House of Representatives.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. John, the House concurred in and adopted the amendment proposed by the governor to the bill, S. 75, said amendment of the governor being as follows:

"Amend Sec. 3 of said bill by adding after the words "five hundred dollars" and before the word "may" the word "and."

Yeas, 65; nays, 0.

Yeas:

Messrs:—

Speaker	Ballard (Pike)	Cannon
Armstrong	Benners	Carmichael (Clay)
Arnold	Bloch	Coleman (Lowndes)
Arrington	Bulger	Coleman (Marshall)
Ballard (Autauga)	Burney	Cooper

Cranford	Lacy (Walker)	Rice
Crum	Lancaster	Rowe
Doyle (Clark)	Lawson	Rushton
Dudley	Lee (Barbour)	Sample
Edwards	Long (Butler)	Sanders
Fuller	Long (Morgan)	Sanford
Glover	Lovelsdy	Seale
Goodwyn	Lyons	Sherrod
Gunter	Maner	Smith (Elmore)
Haley	Mitchell	Smith (Lee)
Henley	McCrary	Steagall
Hoffman	Parker	Turner
Hughston	Pearson	Urquhart
Jenkins	Powell (Bullock)	Vann
John	Power	Weaver
Johnson	Price	White (Perry)
Kirby	Rattray	

—65.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill, S. 3.

And the bill:

S. 3. To amend section 3972 (502) of the Code of Alabama of 1896.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Coleman (Lowndes)	Jenkins
Armstrong	Coleman (Marshall)	John
Arnold	Cranford	Johnson
Ballard (Autauga)	Crum	King
Ballard (Pike)	Dudley	Kirby
Benners	Edwards	Lacy (Walker)
Bloch	Fuller	Lancaster
Bulger	Goodwyn	Lawson
Burney	Gunter	Lee (Barbour)
Cannon	Haley	Long (Butler)
Carmichael (Clay)	Henley	Long (Morgan)

Maner	Rainer	Sherrod
Mitchell	Rattray	Smith (Elmore)
McCrory	Rice	Smith (Lee)
Pearson	Rowe	Steagall
Pitts (Perry)	Rushton	Turner
Powell (Bullock)	Sanders	Urquhart
Power	Sanford	Weaver

—54.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill, S. 4.

And the bill:

S. 4. To further define, prevent and punish unlawful use of money, securities, funds, or property of corporations, incorporated companies or incorporated associations by such corporations, incorporated companies or incorporated associations, servants, agents, officers or members thereof.

Was read a third time, at length, and passed.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Lyons
Armstrong	Goodwyn	Mitchell
Arnold	Gunter	McCrory
Ballard (Autauga)	Henley	Pearson
Benners	Hoffman	Pitts (Perry)
Bloch	Hughston	Powell (Bullock)
Bulger	Jenkins	Power
Burney	John	Rainer
Cannon	Johnson	Rattray
Carmichael (Clay)	King	Rice
Coleman (Lowndes)	Kirby	Rowe
Coleman (Marshall)	Lacy (Walker)	Rushton
Cooper	Lancaster	Sample
Cranford	Lawson	Sanders
Crum	Lee (Barbour)	Sanford
Dudley	Long (Butler)	Sherrod
Edwards	Long (Morgan)	Smith (Elmore)

Smith (Lee)	Tunstall	Vann
Smith (Franklin)	Turner	Weaver
Steagall	Urquhart	

—59.

BILL ON THIRD READING.

S. 113. To define vagrancy, and to provide for the proof and punishment thereof.

Was taken up. Mr. Tunstall offered the following amendment to the bill:

"Amend by striking out the following in subdivision M of section 1, 'imprisoned in the county jail.'"

Mr. Jenkins moved to table the amendment offered by Mr. Tunstall, and the motion to table was lost.

And the amendment offered by Mr. Tunstall was adopted.

Yeas, 42; nays, 14.

Speaker	John	Pitts (Perry)
Arnold	Johnson	Powell (Bullock)
Ballard (Autauga)	King	Rattray
Ballard (Pike)	Kirby	Rice
Benners	Lacy (Walker)	Rowe
Bulger	Lancaster	Rushton
Cannon	Lawson	Sanders
Coleman (Marshall)	Lee (Barbour)	Seale
Cranford	Long (Morgan)	Sherrod
Dudley	Lovelady	Smith (Elmore)
Fuller	Maner	Smith (Franklin)
Glover	McCrory	Tunstall
Gunter	Parker	Turner
Henley	Pitts (Dallas)	Urquhart

—42.

Nays:

Messrs:—

Burney	Long (Butler)	Sample
Carmichael (Clay)	Lyons	Smith (Lee)
Edwards	Mitchell	Vann
Haley	Norville	Weaver
Jenkins	Rainer	

—14.

And the bill:

S. 113. To define vagrancy, and to provide for the proof and punishment thereof.

As amended, was read a third time, at length, and passed.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Pitts (Dallas)
Arnold	Henley	Pitts (Perry)
Ballard (Autauga)	Hoffman	Powell (Bullock)
Ballard (Pike)	Hughston	Power
Benners	Jenkins	Rainer
Bloch	John	Price
Bulger	Johnson	Rowe
Burney	King	Rushton
Cannon	Kirby	Sample
Carmichael (Clay)	Lacy (Walker)	Sanders
Coleman (Lowndes)	Lancaster	Sherrod
Coleman (Marshall)	Lee (Barbour)	Smith (Elmore)
Cooper	Long (Butler)	Smith (Lee)
Cranford	Long (Morgan)	Smith (Franklin)
Dudley	Lovelady	Tunstall
Edwards	Lyons	Turner
Fuller	Maner	Urquhart
Glover	Mitchell	Vann
Goodwyn	McCrory	Weaver
Gunter	Parker	

—59.

RECESS.

The hour of 1:30 having arrived, the House recessed until 3 o'clock.

AFTERNOON SESSION.

The hour having arrived, the House reconvened.

MEMORIAL.

The Speaker of the House presented to the House a memorial from the 10th Legislative Assembly of the State of North Dakota, petitioning the Congress of the United States to take necessary steps to provide for a constitutional amendment, to be submitted to the several States, whereby polygamy and polygamous cohabitation shall be prohibited.

And the memorial was referred to the standing committee on Federal Relations.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted and concurred in the report of the conference committee raised upon the disagreement of the two Houses on Senate amendment, and as thus amended has passed the H. B. 610:

H. 610. To further amend the revenue laws of the State of Alabama.

And herewith returns same to the House.

J. A. Kyle,
Secretary.

REPORT OF CONFERENCE COMMITTEE.

To the Senate and House of Representatives:

The Senate committee on conference and the House committee on conference to consider the Senate amendments to House bill 610, in which amendments the House refused to concur, beg leave to report as follows:

1. We recommend that the Senate amendment to make sub-section D of sub-section 7 of section 1 read as follows:

"D. There shall be no advalorem tax collected upon any such instrument, or the debts secured thereby,

which shall have paid the tax prescribed in this act, either State, county or municipal."

Be concurred in and adopted.

2. We further recommend that the Senate amendments to section 1 adding sub-sections I, J and K, in words and figures as follows, viz.:

"I. All money lent, solvent credits or credits of value except such as are secured by mortgage, deed of trust, or written contract of conditional sale, upon which a tax imposed by law has been paid."

"J. All money employed in the business of advancing or lending on any kind of chattels, choses in action or personal property, or used in buying or discounting notes, bonds or bills of exchange."

"K. All moneyed capital used in any business which comes in competition with the business of national banks."

Be each concurred in and adopted.

3. We further recommend that section 3 as amended by the Senate by striking out the word "or" where it occurs next after the words "purpose of conducting a fire insurance business" and inserting in lieu thereof the word "for" be concurred in and adopted.

4. We further recommend that the Senate recede from all of its amendments to section 11, and that the following be adopted in lieu thereof as a substitute for said section 11:

"Section 11. Each person, firm or corporation selling or delivering sewing machines either in person or through agents, and each person, firm or corporation who engages in the business of selling or delivering lightning rods, stoves, ranges, buggies or other vehicles shall pay the State twenty-five dollars annually for each county in which they may sell or deliver said articles; and for each wagon and team used in delivering or displaying the same, they shall pay to the State an additional sum of ten dollars annually for each county in which they may so sell or display such articles; provided that this section shall not apply to merchants selling the above enumerated articles at their regularly established places of business."

Your committee further recommends the adoption of the following section:

Section 11 1-2. Every person, firm or corporation, engaged in the business of selling or delivering pianos or organs in this State, either in person or by agent, or consignee, shall pay an annual license of one hundred dollars for each county in which they may so sell, provided that this license shall not apply to merchants or dealers having a permanent place or places of business in this State and keeping said articles as a part or all of their stock in trade. Such persons, firms or corporations having a permanent place or places of business in this State and keeping said articles as part or all of their stock in trade shall pay to the State an annual license of one hundred dollars to be paid to the counties in which such permanent place or places of business is established and the payment of such license in such counties as evidenced by the official certificate of the judge of probate shall be sufficient, notwithstanding they may so sell in other counties.

5. We further recommend that the Senate amendment to section fifteen be made to read as follows, to-wit:

Sec. 15. That every person, firm or corporation, engaged in the business of bottling non-alcoholic, carbonated or other soft drinks, shall be required to pay to the State an annual license taxes as follows:

In towns or cities of not more than 5,000 inhabitants, or within four miles thereof, twenty-five dollars.

And in towns or cities of five thousand inhabitants and not exceeding twenty thousand inhabitants, or within four miles thereof, fifty dollars.

And in towns or cities having more than twenty thousand inhabitants, or within four miles thereof, one hundred dollars.

And the committee recommends that the same be concurred in and adopted.

Section 6. We further recommend that the Senate amendment adding at the end of section twenty, the following:

"For each factory; and each fertilizer mixing plant or factory, shall pay an annual license of ten dollars."

Be concurred in and adopted.

Section 7. We further recommend that the Senate amendment making section twenty-one read as follows:

Section 21. That any person, firm or corporation operating any cotton seed oil mill, cotton mill, or cotton factory, shall pay an annual license fee of ten dollars, where the investment for plant and fixtures is less than twenty thousand dollars; on each and every plant where the investment is over twenty thousand dollars and less than fifty thousand dollars, thirty dollars; on each and every plant, where the investment is over fifty thousand dollars and under one hundred thousand dollars, fifty dollars; on each and every plant where the investment is over one hundred thousand dollars and under five hundred thousand dollars, one hundred dollars; on each and every plant over five hundred thousand dollars and under one million dollars, one hundred and fifty dollars; on each and every plant where the investment is over one million dollars, \$200.

Be concurred in and adopted.

Section 8. We further recommend that the Senate amendment striking out section 23 1-2 be concurred in and adopted.

Section 9. We further recommend that the Senate amendment striking out section 23 3-4 be concurred in and adopted.

Section 10. We further recommend that the Senate amendment adding section twenty-five, in words and figures as follows:

Sec. 25. "This act shall be incorporated in and made a part of the Code to be adopted by the Legislature."

Be concurred in and adopted.

Respectfully submitted,

O. C. Maner,
S. D. Bloch,
Geo. P. White,

Conference Com. on part of House of Representatives.

Nathan L. Miller,
Chas. B. Teasley,
W. T. Lowe,

Conference Committee on part of Senate.

On motion of Mr. Maner, the House concurred in and adopted the report of the conference committee on the disagreement of the two Houses, on the Senate amendments to the bill, H. 610.

Yeas, 50; nays, 5.

Yeas:

Messrs:—

Speaker	Henley	Powell (Bullock)
Armstrong	Hughston	Power
Ballard (Autauga)	Jenkins	Rainer
Benners	John	Rice
Bloch	Kirby	Rowe
Bulger	Lacy (Walker)	Sanders
Burney	Long (Butler)	Sanders
Cannon	Long (Morgan)	Sanford
Carmichael (Clay)	Lovelady	Smith (Elmore)
Coleman (Marshall)	Lyons	Smith (Lee)
Cooper	Maner	Smith (Franklin)
Cranford	Mitchell	Steagall
Crum	McCrory	Tunstall
Fuller	Norville	Urquhart
Glover	Peete	Vann
Goodwyn	Pitts (Dallas)	Weaver
Haley	Pitts (Perry)	

—50.

Nays:

Messrs:—

Edwards	Hoffman	Parker
Gunter	McDuffie	

—5.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills, your signature thereto is requested:

S. 3. To amend section 3972 (502) of the Code of Alabama of 1896.

S. 4. To further define, prevent and punish unlawful use of money, securities, funds or property of corporations, incorporated companies or incorporated associations by such corporations, incorporated compan-

ies or incorporated associations, servants, agents, officers or members thereof.

S. 175. To further regulate and prohibited the dealing in future contracts in the State of Alabama.

S. 165. To establish a State livestock sanitary board and the office of State veterinarian in order to further protect livestock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama.

S. 358. To provide for the extension of the corporate limits of cities and towns having one thousand inhabitants or more, and fixing the rights, powers, duties, liabilities and jurisdiction of the city or town over the territory brought into the corporate limits, and the rights of the inhabitants thereof, and to provide for the apportionment between the city or town and county of the road and bridge tax collected by the county on the property within the city, and the expenditure of the funds by the city.

S. 372. To establish police commissioners in cities of 35,000 population, or more, in counties of 125,000 or more, population, and to define their terms of office, duties and powers.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate bills, the titles to which are set out in the above and foregoing message from the Senate.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on enrolled bills having examined the following House bills beg leave to report the same correctly enrolled:

H. 611. To provide for the revenue of the State, by requiring all foreign corporations authorized to do bus-

iness in this State under the laws of the State of Alabama, to pay an annual franchise tax.

H. 245. To provide for the better equipment and support of the University of Alabama, and to appropriate funds therefor.

H. 692. To amend sections 6, 9, 10, 16, 17, 19 and 20 of an act entitled "an act to provide for the redistricting of the public schools of the State and for the management and control of the same, approved September 30, 1903.

H. 769. To better provide for the revenue of the State and the more efficient assessment and collection of taxes and for this purpose to create a commission to be known as the State tax commission of Alabama; and to prescribe the powers and duties of said commission, and its mode of procedure, and to abolish the office of State tax commissioner.

H. 805. To amend sections one (1) and two (2) of an act entitled "An act to confer additional rights and powers including the right to acquire by purchase, or by condemnation lands and easements, upon corporations organized under the general laws or heretofore under a special act of the General Assembly of the State of Alabama, and upon corporations organized under the laws of any other State of the United States, and which corporations have complied with the laws of Alabama in reference to foreign corporations and which have the right by their charter to manufacture, supply and sell power produced by water as a motive force," approved October 1st, 1903; and to add sections 8 1-2 and 9 1-2 to said act, defining the duties of such corporations to the public.

H. 615. To amend sections 1321 and 1322 of the code of 1896.

H. 30. To define who are delinquent children and to provide for their arrest, care and reformation.

J. S. Williams, Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the committee on Enrolled Bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the H. J. R. No. 209, and has also concurred in H. J. R. 213, and has concurred in House amendment to S. 113:

S. 113. To define vagrancy, and to provide for the proof and punishment thereof.

And has concurred in and adopted the conference report on H. 491:

H. 491. To fix and provide for the salaries of city officers in the cities of the State of Alabama, having a population of over twenty-five thousand inhabitants.

And has concurred in and adopted the report of the committee on conference, on Senate amendments to H. 243,

H. 243. To enlarge the insurance laws of the State.

And sends same herewith to the House.

J. A. Kyle, Secretary.

REPORT OF CONFERENCE COMMITTEE.

To the President of the Senate:

The conference committee to which was referred the disagreement of the two Houses over the Senate amendment to House bill No. 491, respectfully recommend that the Senate insist on its said amendment to wit: "Amend by making thirty-six hundred read five thousand dollars where it appears in the bill."

Jno. W. Overton, Chas. B. Teasley, H. F. Reese, committee on behalf of the Senate.

Saml. Will John, Gaston Gunter, A. S. Lyons, committee on behalf of the House of Representatives.

On motion of Mr. Lyons the House concurred in and adopted the report of the conference committee on the disagreement of the two Houses on the Senate amendment to the bill H. 491.

Yeas, 54; nays, 1.

Yeas:

Messrs:—

Speaker	Hughston	Pitts (Dallas)
Armstrong	John	Pitts (Perry)
Ballard (Autauga)	Johnston	Powell (Bullock)
Ballard (Pike)	Kirby	Power
Benners	Lacy (Walker)	Price
Bloch	Lawson	Rainer
Bulger	Lee (Barbour)	Rice
Burney	Long (Butler)	Rowe
Carmichael (Clay)	Long (Morgan)	Rushton
Coleman (Marshall)	Lovelady	Sample
Cranford	Lyons	Sanders
Crum	Maner	Sanford
Fuller	Mitchell	Sherrod
Goodwyn	McCrory	Smith (Elmore)
Gunter	McDuffie	Smith (Lee)
Haley	Parker	Smith (Franklin)
Henley	Pearson	Urquhart
Hoffman	Peete	Vann

—54.

Nays:

Mr. Cannon

—1.

REPORT OF CONFERENCE COMMITTEE.

To the President of the Senate and Speaker of the House of Representatives:

We your committee on conference on House bill No. 243 beg leave to report that we have agreed that the Senate amendments shall be amended by striking out the words "ten thousand" where they occur in such amendments and insert in lieu thereof the words "six

thousand five hundred" and that said Senate amendments as amended and the bill as thus amended be adopted.

Ed. D. Hamner, Wm. N. Hayes, Jno. W. Overton, committee on the part of the Senate.

M. W. Rushton, C. M. Sherrod, R. C. Smith, committee on the part of the Senate.

On motion of Mr. Rushton the House concurred in and adopted the report of the conference committee on the disagreement of the two Houses on the Senate amendments to the bill H. 243.

Yeas, 55; nays, 1.

Yeas:

Messrs:—

Speaker	Henley	Powell (Bullock)
Armstrong	Jenkins	Power
Ballard (Autauga)	John	Pugh
Ballard (Pike)	Johnson	Rainer
Benners	Lacy (Walker)	Rice
Bloch	Lawson	Rowe
Bulger	Lee (Barbour)	Rushton
Burney	Long (Butler)	Sample
Carmichael (Clay)	Lyons	Sanders
Coleman (Marshall)	Maner	Sanford
Cooper	Mitchell	Seale
Cranford	McCrory	Sherrod
Crum	Norville	Smith (Elmore)
Edwards	Parker	Smith (Lee)
Fuller	Pearson	Smith (Franklin)
Glover	Peete	Steagall
Goodwyn	Pitts (Dallas)	Urquhart
Gunter	Pitts (Perry)	Vann
Haley		

—55.

Nays:

Mr. Cannon

—1.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has received a message from his excellency the governor, with his objections to and proposed amendments of Senate bill 175:

S. 175. To further regulate and prohibit the dealing in future contracts in the State of Alabama.

And the Senate has amended the bill as proposed by concurring in and adopting such proposed amendments Yeas, 23; nays, 1.

And the Senate sends said bill with the governor's message to the House.

J. C. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Pitts of Dallas, the House concurred in and adopted the amendment proposed by the governor to the bill S. 175, said governor's amendment being as follows:

To the Senate of Alabama:

I herewith return S. B. No. 175 entitled "an act to further regulate and prohibit the dealing in future contracts in the State of Alabama." And I propose the following amendment to said bill which will remove my objection thereto.

Amend section 4 of said bill by adding the word "and" after the words "two hundred dollars."

B. B. Comer, Governor.

March 6th, 1907.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker

Armstrong

Ballard (Autauga)

Benners

Bloch

Bulger

Burney

Cannon

Carmichael (Clay)

Coleman (Marshall)

Cooper

Cranford

Edwards	Lyons	Rice
Fuller	Maner	Rowe
Glover	Mitchell	Rushton
Goodwyn	McCrory	Sample
Gunter	McDuffie	Sanders
Haley	Norville	Sanford
Henley	Parker	Sherrod
Jenkins	Peete	Smith (Elmore)
John	Pitts (Dallas)	Smith (Lee)
Johnson	Pitts (Perry)	Smith (Franklin)
Kirby	Powell (Bullock)	Steagall
Lawson	Power	Tunstall
Lee (Barbour)	Pugh	Urquhart
Long (Butler)	Rainer	Vann
Lovelady		

—55.

BILLS ON THIRD READING.

S. 220. To repeal section sixteen of an act to establish a uniform system for the examination and licensing of teachers of public schools, approved February 10th, 1899, amended February 8th, 1901.

Was read a third time, at length and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Lovelady
Armstrong	Goodwyn	Lyons
Ballard (Autauga)	Gunter	Maner
Benners	Haley	Mitchell
Bloch	Henley	McCrory
Bulger	Hoffman	McDuffie
Burney	Hughston	Parker
Cannon	John	Peete
Carmichael (Clay)	Johnson	Pitts (Dallas)
Coleman (Marshall)	Kirby	Pitts (Perry)
Cooper	Lacy (Walker)	Powell (Bullock)
Cranford	Lawson	Power
Crum	Lee (Barbour)	Pugh
Edwards	Long (Butler)	Rainer
Fuller	Long (Morgan)	Rice

Rowe	Sherrod	Smith (Franklin)
Rushton	Smith (Elmore)	Steagall
Sample	Smith (Lee)	Tunstall
Sanders		

—55.

H. 863. To establish a normal school for education of white male and female teachers at Moundsville, in Hale county, Alabama.

Was read a third time, at length and passed.

Yeas, 43; nays, 14.

Speaker	Jenkins	Pitts (Dallas)
Armstrong	John	Pitts (Perry)
Benners	Kirby	Power
Bloch	Lawson	Pugh
Coleman (Marshall)	Lee (Barbour)	Rice
Cranford	Long (Butler)	Rowe
Crum	Lyons	Sample
Dudley	Maner	Sanford
Edwards	Middleton	Seale
Glover	Mitchell	Smith (Elmore)
Goodwyn	McCrary	Smith (Franklin)
Gunter	McDuffie	Tunstall
Haley	Norville	Urquhart
Henley	Parker	Vann
Hoffman		

—43.

Nays:

Messrs:—

Ballard (Autauga)	Fuller	Rushton
Ballard (Pike)	Johnston	Sherrod
Bulger	King	Smith (Lee)
Carmichael (Clay)	Powell (Bullock)	Steagall
Cooper	Rainer	

—14.

On motion of Mr. Tunstall the bill was ordered sent to the Senate without engrossment.

RESOLUTIONS.

Mr. John offered the following resolution:

By Mr. John:

H. R. 215. Resolved, That the Speaker is requested to prepare a revision of the Rules, so as to make them conform, as near as practicable, to the established laws of parliamentary procedure.

2. That the clerk of the House is directed to prepare and have ready for the House when it reconvenes, a revised calendar which shall show the number of the bill, its author and the committee reporting the bill.

On motion of Mr. John the Rules were suspended and the resolution was adopted.

MOTION TO TAKE FROM ADVERSE CALENDAR.

Mr. Hoffman called up his motion to take the bill:

H. 226. To prescribe the punishment for the crime of rape and unlawful carnal knowledge of a female; to regulate the trials of such cases and the determination thereof; and to provide a penalty for a failure to carry out the provisions of this act.

From the adverse calendar, and the motion to take the bill H. 226 from the adverse calendar was lost.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr Speaker:

Your committee on Enrolled Bills having examined the following House bill beg leave to report the same correctly enrolled:

H. 610. To further amend the revenue laws of the State of Alabama.

J. S. Williams, Chairman.

SIGNING BILL.

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length having been

dispensed with by a two-thirds vote of a quorum present, signed the House bill, the title to which is set out in the above and foregoing report of the committee on Enrolled Bills.

RECESS.

The hour of 5:30 having arrived under the rules the House recessed until 8 o'clock tonight.

NIGHT SESSION.

The hour having arrived the House reconvened,

Mr. Long, of Butler, offered the following resolution:

H. J. R. 216. Resolved, by the legislature of Alabama that the governor be requested to return to the House of Representatives for correct enrollment House bill 610 entitled an act to further amend the revenue laws of the State of Alabama.

And the rules were suspended and the resolution was adopted.

Mr. Bloch offered the following resolution:

By Mr. Bloch:

H. J. R. 217. Resolved by the House, the Senate concurring, that the capitol commission are hereby authorized to have a passenger elevator constructed and placed in the front hall of the capitol by the time the legislature re-assembles in July next.

On motion of Mr. Bloch the Rules were suspended and the Resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in H. J. R. 216, by Mr. Long, relative to the return of H. 610 from the governor for correction.

Also,

H. J. R. 217. Mr. Bloch, relative to constructing a passenger elevator by the time the legislature reconvenes.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following bills, your signature thereto is requested:

S. 175. To further regulate and prohibit the dealing in future contracts in the State of Alabama.

S. 220. To repeal section sixteen of an act to establish a uniform system for the examination and licensing of teachers of public schools, approved February 10th, 1899, amended February 8th, 1901.

S. 113. To define vagrancy, and to provide for the proof and punishment thereof.

J. A. Kyle, Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Senate message.

APPOINTMENT OF COMMITTEES.

The Speaker announced the following committee under S. 210 to read and revise the manuscript of the new code, under a resolution heretofore adopted, the Speaker was named on said committee.

Messrs. S. W. John, J. M. Foster, O. C. Maner, and H. B. Steagall.

And under H. 763, the following committee:

Messrs. Gunter, King, Sherrod, Crawford and Norville.

To prepare a general municipal bill.

And the following committee under Senate Joint Resolution relative to investigating the fertilizer trust, Messrs. Pitts of, Perry, Powers, Sample.

MESSAGE FROM THE GOVERNOR.

Chief Executive Department, Alabama.

To the House of Representatives:

In accordance with House Joint Resolution No. 216 I herewith return to the House House bill 610 for correct enrollment.

This 6th day of March, 1907.

B. B. Comer, Governor.

Mr. Carmichael, of Colbert, offered the following resolution:

By Mr. Carmichael, of Colbert:

H. J. R. 218. Resolved by the Legislature of Alabama, that the Speaker of the House and the President of the Senate be requested to erase their signatures from H. 610. To further amend the revenue laws of the State of Alabama.

And the rules were suspended and the resolution was adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in H. J. R. No. 218, relative to the erasure of the signatures of the Speaker of the House and the President of the Senate from H. 610.

J. A. Kyle, Secretary.

ERASURE OF SIGNATURE.

The Speaker of the House, in the presence of the House, in pursuant to a Joint Resolution heretofore adopted, erased his signature from the bill H. 610.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President has appointed as committee on part of the Senate under the bill raising a committee to sit during the recess and read and revise the code, Messrs. Lusk, Merritt and Gardner, and has appointed as committee on part of the Senate under the bill raising a committee to sit during the recess and prepare a municipal code Messrs. Horton, Gunn and Teasley, and has appointed as committee to sit during the recess and investigate the fertilizer combination Messrs. Leith and Overton.

And in compliance with H. J. R. 218, the President has erased his signature from House bill No. 610.

J. A. Kyle, Secretary.

RESOLUTIONS.

The following Resolutions were introduced:

By Mr. Lyons:

H. R. 219. Resolved by the House, That the thanks of this body be, and the same are hereby extended to the Hon. A. H. Carmichael, the Speaker of the House for his uniform ruling and for the distinguished ability that he has evidenced as Speaker of this House.

On motion of Mr. Lyons the rules were suspended and the resolution was adopted by a rising vote.

By Mr. Maner:

H. R. 220. Resolved by the House of Representatives that the thanks of the House be and is hereby tendered to Hon. Cyrus B. Brown for his efficient work and uniform courtesy to all the members of the House and his assistants.

And on motion of Mr. Maner the Rules were suspended and the Resolution was adopted by a rising vote.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills having examined the following House bills beg leave to report the same correctly enrolled:

H. 491. To fix and provide for the salaries of city officers in the cities of the State of Alabama having a population of over twenty-five thousand inhabitants.

H. 243. To enlarge the insurance laws of the State.

H. 610. To further amend the revenue laws of the State of Alabama.

J. S. Williams, Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report of the committee on Enrolled bills.

On motion of Mr. Long, of Butler, the Speaker appointed a committee of three, Messrs. Long of Butler, Tunstall and Rice, to confer with the governor as to whether he had any further business with the House.

REPORT OF COMMITTEE.

Mr. Long of Butler, reported that the committee heretofore appointed had conferred with the governor and that he had no further business with the House, and on motion of Mr. Long of Butler, the House adjourned until 10 o'clock Tuesday morning, July 9th, 1907.

THIRTY-EIGHTH DAY.

House of Representatives,
Tuesday, July 9th, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Malone of the House.

ROLL CALL.

On a call of the roll the following members answered to their names:

Messrs:—

Speaker	Elrod	Lovelady
Alford	Foster	Lyons
Altman	Fuller	Maner
Armstrong	Glover	Mastin
Arnold	Goodwyn	Middleton
Arrington	Gunter	Mitchell
Avery	Haley	Moore
Ballard (Pike)	Henley	McCrory
Baltzell	Hoffman	McMillan
Barton	Hughston	Norville
Benners	Jenkins	Oliver
Benson	John	Parker
Bloch	Johnston	Pearson
Brown	Killen	Peete
Bulger	King	Pitts (Dallas)
Cannon	Kirby	Pitts (Perry)
Carmichael (Clay)	Kernegay	Powell (Bullock)
Carmichael (Colbert)	Lacy (Dallas)	Powell (Covington)
Coleman (Lowndes)	Lacy (Walker)	Power
Coleman (Marshall)	Lancaster	Pratt
Cooper	Lawson	Price
Cranford	Lee (Barbour)	Pugh
Crum	Lee (Etowah)	Ragsdale
Doyle (Clark)	Lee (Houston)	Rainer
Doyle (Marengo)	Lindsey	Rattray
Dudley	Long (Butler)	Price
Edwards	Long (Morgan)	Rowe

Rushton	Smith (Etowah)	Vann
Sample	Smith (Franklin)	Weaver
Sanders	Smith (Lee)	White (Lamar)
Sanford	Steagall	White (Perry)
Seale	Thompson	Williams
Sherrod	Tunstall	Woelf
Smith (Elmore)	Turner	

—101.

A quorum was present.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Ballard of Autauga, for today.

JOURNAL.

The Chairman of the Standing committee on Revision of the Journal made the following report:

Mr. Speaker:

Your Committee on the Revision of the Journal begs leave to report as follows:

We have examined the Journal for the thirty-seventh day, and find the same to be correct.

H. B. Steagall, Chairman.

The report of the committee was concurred in, and the Journal of the 37th day was approved.

PRIVILEGES OF THE FLOOR.

On motion of Mr. Lyons, the privileges of the floor were extended to Hon. B. B. Boone, Hon. Chas. G. Sullivan and Mr. Bromberg, of Mobile, for today; on motion of Mr. Steagall the privileges of the floor were extended to Hon. William Garner of Ozark, for today.

OATH OF OFFICE.

Mr. P. B. Mastin, elected to succeed the late Wm. L. Martin, appeared, and the oath of office was administered to him by Hon. A. H. Carmichael, Speaker of the House.

UNFINISHED BUSINESS.

The House proceeded to the consideration of the unfinished business, which was the bill:

H. 388. To repeal an act entitled an act to incorporate the South Side Reading Club, of Birmingham, Alabama. Approved February 13, 1897.

The question was upon the adoption of the Senate amendment which is as follows:

Amend House bill 388 by adding:

Sec. 2. This act shall take effect on and after the first day of July, 1907.

And the amendment was adopted.

Yeas, 67; nays, 0.

Yeas:

Messrs:—

Speaker	Coleman (Marshall)	Kirby
Alford	Cooper	Kornegay
Altman	Cranford	Lacy (Dallas)
Armstrong	Doyle (Clark)	Lancaster
Arnold	Doyle (Marengo)	Lawson
Arrington	Dudley	Lee (Etowah)
Avery	Elrod	Lee (Houston)
Ballard (Pike)	Foster	Long (Morgan)
Baltzell	Fuller	Lovelady
Barton	Goodwyn	Middleton
Benness	Henlev	Moore
Benson	Hoffman	McCrory
Bloch	Hughston	McMillan
Brown	John	Norville
Bulger	Johnson	Oliver
Cannon	Killen	Parker
Carmichael (Clay)	King	Pitts (Perry)

Powell (Bullock)	Rowe	Vann
Pratt	Rushton	Weaver
Price	Sample	White (Perry)
Pugh	Sherrod	Williams
Ragsdale	Smith (Elmore)	Woolf
Rice		

—67.

Mr. John from the committee appointed to read and revise the manuscript of the new code, made the following report:

Mr. Speaker:

The joint committee of the Legislature appointed to read the manuscript of the Code, prepared by Hon. James J. Mayfield, respectfully report, that, after having organized by electing Sam'l Will John, as chairman, they have read every section of the manuscript and compared it with the corresponding section of the Code of 1896, or of the act codified, and have "revised, amended and corrected it so as to make it a harmonious body of law, as nearly perfect as possible.

The act under which this committee was raised, required the committee to "codify and incorporate in the manuscript-Code all general acts passed by the Legislature at this session.

That this might be done in the best manner possible, the committee directed Hon. James J. Mayfield to codify these general acts, which he did, and reported them codified, to the committee which considered them in codified form and still further revised and amended them and have placed them in the proper places in the manuscript.

The committee struck out and omitted sections 211-249 which were codified from the act of Feb. 18, 1899, regulating dispensaries in certain counties, as the act was really a local act, and was superseded in those counties to which it applied, by this act of March —, 1907.

The committee struck out and omitted the whole article comprising sections 644-657 of the manuscript relating to the quarantine board of health of Mobile bay,

as said board has transferred all its property to the U. S. Government and ceased to exist.

The committee struck out and omitted Secs. 3094-3132, providing for the establishment and control of toll roads, as it was obsolete.

The committee did not introduce into the Code any new laws, but confined its labors to the task outlined by the act creating the committee, and in doing this the committee tried to reconcile all apparent conflicts, make clear all ambiguous statutes, and striking out all that were repetitions of others in other parts of the Code.

It is impossible to report these corrections in detail, as most of them are merely verbal, for the consideration of the Legislature, as in most cases the original act or section of the Code would have to be printed alongside of the section as amended by the committee, and this would require more time than is at the disposal of the present Legislature.

In every instance in which the committee's attention was called to an act or section of the Code passed before the adoption of the constitution of 1901, which was modified by the constitution, or in conflict therewith, the committee reconciled the provisions of the new Code with the constitution.

Our labors were facilitated by the presence of the commissioner during several days of our deliberations, and by his printed report of 190 pages, which was found to be as full, as could be made and to be a very fair outline of his work.

The commissioner inserted a number of new sections, consisting principally of definitions and the didactic statement of legal principles, a few of which the committee approved.

Recognizing that the making of accurate definitions is one of the most difficult tasks, which requires time and very deliberate consideration, and that the committee would not have the time to properly consider these definitions, they are reluctantly omitted.

This work is a monument to the patience, industry, learning and skill of the commissioner, and if printed and bound in keeping with its contents will be the best Code Alabama ever had.

We have prepared and herewith submit, bills for the adoption of the Code, and the publication of the Code and acts, and recommend their speedy passage, so that advertisements may be made immediately for bids to publish the Code.

Sam. Will John,
Chairman.

A. H. Carmichael,
J. M. Foster,
Henry B. Steagall,
O. C. Maner,
John A. Lusk,
Henry P. Merrill,
Lucian Gardner.

On motion of Mr. Pitts of Dallas, the report of the committee was ordered spread upon the Journal.

RESOLUTIONS.

The following resolutions were introduced and referred to appropriate Standing Committees as follows:

By Mr. Bulger:

H. R. 221. Resolved, That when the House adjourn at the last session held on to-day that it does adjourn to meet on Thursday July 11th, at 9 o'clock a. m.

Rules.

By Mr. Long, of Butler:

H. J. R. 222. Whereas, the streams of Alabama have been depopulated of fish on account of inadequate laws in the past to restrain the reckless hand of those who persist in seining, netting and dynamiting the fish of Alabama, and, since this Legislature has enacted ample

statutes to protect the streams of this State in the future from the ravages formerly visited on our supply of fish, and has inaugurated a warden system to vigilantly enforce these laws;

Therefore, be it resolved by the House the Senate concurring, that Congress be, and the same is hereby memorialized to establish a fish hatchery in Alabama, to the end that our streams may receive more attention in the future, and that they may be restocked with fish adaptable to our waters;

Resolved further, that a copy of this resolution be forwarded by the Secretary of State to each of the United States Senators from Alabama and to each Alabama member of the House of Representatives.

Federal Relations.

Mr. Power introduced the following resolution and on motion of Mr. Power the Rules were suspended and the resolution was adopted.

H. J. R. 223. Joint resolution of the Legislature of Alabama to give assent to the purposes of the grant made, by the act of Congress to provide for an increased annual appropriation for the Agricultural Experiment Station in connection with the Land Grant Colleges.

Whereas, the Congress of the United States having passed an act, approved March 16th, 1906, entitled "an act to provide for an increased annual appropriation for Agricultural Experiment Stations and regulating the expenditure thereof; and

Whereas, this grant of money was made subject to legislative assent of the several States and Territories to the purpose of said grant,

Therefore, Be it resolved by the House of Representatives of the Legislature of Alabama, the Senate concurring, that the assent of the Legislature of Alabama is hereby given to the purposes of the grant made in said act of Congress; and that the trustees of the Alabama

Polytechnic Institute, at Auburn, are hereby authorized and directed to comply with the terms and conditions expressed in the act aforesaid."

RESOLUTIONS.

The following resolutions were introduced and referred to appropriate standing committees as follows:

By Mr. King:

H. J. R. 224. Whereas, grave charges are being made against the management of the Alabama Insane Hospitals at Tuscaloosa, and

Whereas, said charges are made that inmates of said Hospital are allowed to be cruelly beaten and punished by nurses of said institution, and,

Whereas, the further charge is made that the inmates of said Hospital are not given sufficient food and are otherwise mistreated, and,

Whereas, the inmates of this institution should be the recipients of our constant solicitude and care, and,

Whereas, the fair name of our State is involved in the humane and proper management of this Institution,

Now, therefore, be it resolved by the House, the Senate concurring, that a committee of three from the House to be appointed by the Speaker of the House, and two from the Senate to be appointed by the President of the Senate be authorized to make an investigation of these charges against said institution and report their findings to the governor and also to the next special or regular meeting of the Legislature.

Rules.

By Mr. John:

H. J. R. 225. Be it resolved by the Legislature of Alabama, that the governor is hereby requested to ascertain if the copyright of the supreme court reports of the State of Alabama has in any manner, directly or indirectly, been infringed by any publishing house or by any person in the employ of the State in any capacity, and if it has been, that he take steps, by suit or other-

wise, to recover to the State just compensation for the infringement of its copyright.

Judiciary.

By Mr. John:

H. R. 226. Resolved that H. 26 (with substitute) to regulate the introduction, and engrossing of bills; their passage, enrollment and publishing, and to protect them and the journals in relation thereto from mutilation and unlawful changes.

H. 589 (with amendment.) To regulate the taking of appeals to the Supreme court and the procedure therein and trials thereof.

H. 32. To establish reformatories for inebriates under the government of the trustees of "The Alabama Insane Hospitals," to regulate the admission of inebriate persons thereto, their treatment and discipline therein, and their discharge therefrom; and to appropriate \$50,000 to erect, furnish and equip the necessary additional buildings therefor.

H. 33, (with substitute). To create a State Sanatorium for the study of tuberculosis and the best methods of preventing its spread and for disseminating the results of such investigations and for the treatment of persons suffering therefrom.

H. 28, (with amendment). To regulate the practice in the courts of this State, be and they are hereby made special, continuing and paramount orders for Thursday, July 9th, immediately after the report from the committee on revision of the Journal.

Rules.

By Mr. John:

H. R. 227. Resolved, that during the remainder of this session the House shall meet at ten o'clock a. m., recess from one to three p. m., and from six to eight p. m.

The night session shall be devoted exclusively to the consideration of local bills.

No bill shall be made a special order before the report of the committee on the revision of the Journal.

Rules.

Mr. Hoffman introduced the following resolution, and on motion of Mr. Hoffman the rules were suspended and the resolution was adopted.

By Mr. Hoffman :

H. R. 228. Be it resolved that as many ceiling fans as in the opinion of the Speaker of the House is necessary be placed in the House at such places as may be indicated by the Speaker.

RESOLUTION.

The following resolution was introduced and referred to the standing committee on Rules.

By Mr. Goodwyn :

H. R. 229. Be it resolved that the House meet each day at 9 a. m., adjourn at 2 p. m., meet then at 8 p. m., and adjourn at 10:30 p. m.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows :

By Mr. Williams, (with notice and proof) :

H. 885. To amend an act entitled "an act to prohibit the sale, giving away or disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within one mile of Old Mt. Zion Baptist Church, Barbour county," approved February 9th, 1897, and to provide a penalty for the violation of this act.

Temperance.

Notice and proof H. B. 885.

NOTICE.

Notice is hereby given that a bill will be introduced at the approaching session of the Legislature of Alabama, to convene on July 9th, 1907, in the city of Mont-

gomery, amending an act to prohibit the sale, giving away or disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within 1 mile of Old Ma. Zion Baptist Church, Barbour county, Approved Feb. 9, 1897, so that said Old Mt. Zion Baptist Church may be properly described and located in beat 15 Barbour county, Alabama, instead of in beat 8, Barbour county, Alabama, as is the case under the present law which is sought to be amended.

Dated this May 28th, 1907.

(Signed) J. S. Lathram,
J. F. Weston,
Travis Sims.

The State of Alabama, }
Barbour County. }

Before me Simon Dowling a notary public in and for said State and county, personally appeared W. A. Bishop, who being duly sworn, doth depose and say that he is the editor and the publisher of the Clayton Record, a weekly newspaper published in the town of Clayton, in said State and county, and that the accompanying notice has had continuous and successive publication in said paper for more than thirty days, beginning with the issue of May 31st, 1907.

Wm. A. Bishop,
Editor Clayton Record.

Sworn to and subscribed before me this 6th day of July, 1907.

S. H. Dowling, Notary Public.

By Mr. Williams:

H. 886. To allow clerks of the circuit courts and sheriffs of this State to collect their costs in cases of acquittal, nolle prosequi, dismissal, or where for any reason criminal prosecutions or causes are abated, out of whatever fines may come into their hands by reason of convictions or where pleas of guilty are entered by defendants and the fines paid.

Revision of Laws.

By Mr. Williams:

H. 887. To amend an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

Revision of Laws.

By Mr. Williams, (with notice and proof) :

H. 888. To provide for the establishment of a branch of the circuit court of Barbour county; to define its powers and jurisdiction, to regulate the trial of causes therein, and the drawing and summoning of juries and witnesses therefor.

Revision of Laws.

Notice and proof H. B. 888.

The State of Alabama, }
Barbour County. }

Before me, W. D. Block, a justice of the peace in and for said State and county, personally appeared G. Ernest Jones, who being duly sworn, doth depose and say that he is the editor and publisher of the Clio Free-Press, a semi-monthly newspaper published in Clio, in said State and county, and that the accompanying notice has had successive and continuous publication in said paper for thirty days, viz: from the seventh day of June to the ninth day of July.

G. Ernest Jones,
Ed. & Pub. Clio Free-Press.

Sworn to and subscribed before me this ninth day of July, 1907.

W. D. Brock, Justice of the Peace.

NOTICE.

Notice is hereby given that application will be made at the approaching session of the Legislature of Alabama, to be held in the city of Montgomery, beginning on July 9th, 1907, for the passage of a bill creating a branch of the circuit court of Barbour county, locating

said branch court at Clio and including within its jurisdiction the territory in beats Nos. 9, 12, 13, and 15, in said county. The bill creating said branch court is to contain a provision putting into operation all the necessary machinery for the drawing of grand and petit juries, summoning witnesses, and making applicable all laws that now pertain to circuit courts in this State, and needful for the conduct of such courts. The bill will contain a further provision naming the times, twice a year, when said court is to be held, one week for trial of civil causes and one for the disposition of criminal cases. The bill will contain yet another provision holding Barbour county free from all cost or expense in the erection and equipment of the buildings necessary for said branch court. The bill will also provide that, before the law creating the said branch court becomes effective, there shall be a vote on the question of the location and creation of said court and the said question shall receive and be ratified by a majority vote of the qualified electors of Barbour county cast in the next general election to be held in November, 1908.

A. C. Dillard, Chairman,
G. E. Jones, Secretary.

By Mr. Fuller, (with notice and proof) :

H. 889. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

Local Legislation.

Notice and proof H. 889.

NOTICE OF LOCAL LAWS.

Notice is hereby given that at the adjourned session of the Legislature of Alabama which meets in July next bills will be introduced as follows: Four in number:

1. Prohibiting the running of traction engines in Bibb, Alabama, on the public roads of said county.

11. Imposing a license of \$500.00 per year on each vehicle or engine operated or drawn or propelled on and along the public roads of said county of Bibb, State of Alabama, the tire or thread or wheel face of which said

vehicle or engine exceeds eight inches and providing for the collection of said license.

111. Providing that where an engine or vehicle with a tire or thread or wheel face exceeding eight inches is drawn or operated or propelled on or along the public roads of said county of Bibb, State of Alabama, it shall be the duty of the county commissioners residing in the district in which said engine or vehicle is operated to make an inspection at least once each month of the public roads and bridges which have been used or traveled in his district by said engine or vehicle and to assess from the best information which he can obtain the amount of the damage done to said bridges and roads by said engine or vehicle during the thirty days next preceding his inspection, which said damages shall be due to the county of Bibb, State of Alabama for road purposes and which damages so assessed by said commissioner shall be a lien against the said engine or vehicle and to provide for appeals from the decisions and assessment of said commissioner and for the enforcement of the lien herein named.

1111. To regulate the operation of traction engines in Bibb county, Alabama.

Appropriate remedies and penalties will be made a part of each of said bills for the proper enforcement of same.

The State of Alabama, }
Bibb County. }

Before me, R. L. Avery, clerk of circuit court of Bibb county, Alabama, personally appeared L. H. Nunnelee, who being by me first duly sworn says on oath that he is publisher of the Centreville Press, a newspaper published in Bibb county, Alabama, and that the above and foregoing notice attached to this paper and marked exhibit "A" was published in the Centreville Press for four consecutive weeks. That the first insertion was on the 16th day of May, 1907.

L. H. Nunnelee,
Publisher of Centreville Press.

Sworn to and subscribed before me this the 8th day of July, 1907.

R. L. Avery,
Clerk of the Circuit Court.

By Mr. Fuller, (with notice and proof) :

H. 890. To further prescribe the official duties of the deputy solicitor of Bibb county, Alabama.

Judiciary.

Notice and proof H. 890.

NOTICE EXHIBIT "A."

Notice is hereby given that at the present session of the legislature of Alabama when same reconvenes in July 1907, a bill will be introduced as follows:

Sec. 1:—Be it enacted by the legislature of Alabama that from and after the passage of this act that it shall be the duty of the deputy solicitor of Bibb county, Alabama, whenever requested, to do so by the circuit court, to be present at the session of the grand juries of Bibb county, Ala., and perform all the duties before such grand juries as now required by law of the circuit solicitor.

Sec. 2:—Be it further enacted that all the acts of such deputy solicitor when with the grand juries of Bibb county, Alabama, shall be as valid as if performed by the circuit solicitor.

Sec. 3:—Be it further enacted that all laws or parts of laws in conflict with this act are hereby repealed.

The State of Alabama, }
Bibb County. }

Before me, R. L. Avery, clerk of the circuit court of Bibb county, Alabama, personally appeared L. H. Nunnelee, who being by me first duly sworn says on oath that he is publisher of the Centreville Press, a newspaper published in Bibb county Alabama, and that the above

and foregoing notice attached to this paper and marked exhibit "A" was published in the Centreville Press for four consecutive weeks.

L. H. Nunnellee,
Publisher of Centreville Press.

Sworn to and subscribed before me this 8th day of July, 1907.

R. L. Avery,
Clerk of Circuit Court.

By Mr. Fuller, (with notice and proof) :

H. 891. To provide for the election of the county commissioners of Bibb county, Alabama, and to prescribe their terms of office.

Local Legislation.

Notice and proof H. 891.

LEGAL NOTICE.

Notice is hereby given that at the present session of the Legislature of Alabama, a bill will be introduced and an application will be made for the passage of same; providing for the election of the county commissioners of Bibb county, Alabama, by the qualified voters of the respective districts of said county on Tuesday after the first Monday in November 1908, as above prescribed; two of whom shall hold their regular term of four years and two of whom shall serve only two years and until their successors are qualified, and providing that the successors of the two said commissioners who shall hold only two years shall be elected on the date for the election of county officers of said county in the year 1910 and the term of said commissioners and their successors shall be four years, and providing for the election of two of said commissioners every two years after the election of said commissioners in 1910.

Under the provisions of the bill each district in Bibb county will elect its commissioner, and only two of said commissioners will be elective in the same year.

Jerome T. Fuller,
Representative for Bibb County.
Herbert E. Reynolds,
Senator 18th Senatorial District.

The State of Alabama, }
 Bibb County. }

Before me, W. L. Pratt Judge of probate in and for said county and State personally appeared L. H. Nunnelee who being duly sworn, on his oath states that he is now and has been for more than twelve months prior to this date editor and publisher of The Centerville Press a weekly newspaper published weekly at Centerville in Bibb county Alabama: That the above notice, refering to the election of the county commissioners of Bibb county Alabama, and prescribing their term of office was published in the said newspaper The Centreville Press for four consecutive weeks, viz: in the issue of the said paper on the 7th, 14th, 21st, and 28th, of February and on the 7th day of March 1907.

L. H. Nunnelee,
 Editor and Publisher of the Centerville Press.

Sworn to and subscribed before me this the 5th day of July, 1907.

W. L. Pratt,
 Judge of Probate, Bibb Co. Ala.

By Mr. Fuller, (with notice and proof) :

H. 892. To further regulate the working of the public roads of Bibb county, Alabama.

Local Legislation.

Notice and proof H. 892.

LEGAL ORDER.

Notice is hereby given that a bill will be introduced and an application will be made for the passage of same before the legislature of the State of Alabama when it convenes in July 1907.

1st. To regulate the public roads of Bibb county, Alabama, and the repairing and working of same.

2nd. To provide for two road supervisors for Bibb county, and to provide for their selection and to prescribe their duties, qualifications, term of office, compen-

sation, and penalties for failure in discharge of their duties.

3rd. To provide for the collection of the per capita road tax, and to fix the amount of same.

4th. To provide for the relocating and re-establishing of the public roads of Bibb county.

5th. To prescribe who shall be subject to road duty in Bibb county, to prescribe the length of time required to work and to fix the time for the payment of the per capita tax.

6th. To provide for the levying of the same special tax, which is two twentieths of one percentum upon the taxable property of the county, as is now authorized by law, and to provide for the collection and disbursement of same.

7th. To provide for the working and repairing of the public roads of Bibb county, Alabama, and to prescribe who shall be in control of same, and to prescribe penalties for the failure of any person or officer to discharge his duties to the public roads, and to prescribe penalties for the violation of any provision of the road law for Bibb county.

8th. To prescribe how the names of persons subject to road duty may be procured, and to provide for the warning of men subject to road duty and all other acts incident to the working and repairing of the public roads of Bibb county.

9th. To prescribe what shall be an improper use of the public roads or bridges of the county and to prescribe penalties for the improper use of same.

9th. To authorize the commissioners court of Bibb county to provide for working and to work the county convicts on the public roads of the county.

9 1-2. To provide for overseers or assistant supervisors and to prescribe their duties, compensation and penalties for failure to discharge their duties or enforcement of the law.

10th. To provide for a bond to be given by any person or officer collecting or having in charge or under control any of the road funds of Bibb county.

11th. To make any and all provision necessary or incident to the working or improving of the public roads of Bibb county, Alabama, and to make any and all provision for or incident to the execution or enforcement of this proposed law.

12th. Appropriate penalties and remedies will be enacted and provided for to secure the execution and enforcement of this proposed law.

W. L. Pratt,
H. E. Reynolds,
J. T. Fuller,

Committee appointed by Good Roads Meeting, June 8th, 1907.

The State of Alabama, }
Bibb County. }

Before me R. L. Avery, clerk of the circuit court in and for said county and State personally appeared L. H. Nunnelee who being first duly sworn on his oath states, that he is now and has been for more than twelve months prior to this date editor and publisher of The Centerville Press a weekly newspaper published weekly at Centerville in Bibb county, Alabama: That the above notice is a clipping from the Centerville Press and that the above notice was published in The Centerville Press for four consecutive weeks, viz: in the issue of the said newspaper on the 13th, 20th, and 27th, days of June 1907 and on the 4th, day of July 1907, and that the said notice was published for four consecutive weeks in said newspaper prior to this date.

L. H. Nunnelee,
Editor and Publisher of The Centerville Press.

Sworn to and subscribed before me this 6th day of July, 1907.

R. L. Avery,
Clerk Circuit Court Bibb County, Ala.

By Mr. Fuller:

H. 898: To further prescribe the official duties of the deputy solicitors of the various counties of Alabama.

Judiciary.

By Mr. Powell, of Bullock:

H. 894. To prohibit any person who holds the office of justice of the peace or any other office where authority is given to issue warrants of arrest from acting as attorney for the defendant in cases where the complaint against the defendant was made before such person and the warrant of arrest was issued by him in his official capacity. Judiciary.

By Mr. Powell, of Bullock, (with notice and proof):

H. 895. To repeal an act entitled an act to provide for the election of the county superintendent of education by a vote of the legal electors of Covington and Bullock counties, approved February 17th, 1885, so far as the same relates to Bullock county.

Privileges and Election.

Notice and proof H. 895.

NOTICE TO CHANGE ELECTIONS OF COUNTY SUPERINTENDENT OF EDUCATION.

Notice is hereby published that many voters intend to apply to our Senator and Representatives to the present legislature, to repeal the law published in the acts of Alabama, 1884-85, page 721, wherein it is declared that the superintendent of education shall be elected on the first Monday of August, 1886, and every two years thereafter.

The State of Alabama,)
Bullock County.)

Before me, John K. Franklin, a justice of the peace, in and for said county and State, personally appeared T. F. McGowan, who is known to me and who being duly sworn deposeth and says that the above notice was published at least once a week for four consecutive weeks, in the Union Springs Herald, a newspaper published in said county and State.

T. F. McGowan,

Subscribed before me this the 8th day of July, 1907.

J. K. Franklin,
Notary Public, and J. P.

By Mr. Long, of Butler, (with notice and proof) :

H. 896. To repeal an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large."

Local Legislation.

Notice and Proof. H. 896.

The State of Alabama, }
Butler County. }

Before me, Thos. J. Judge, a notary public in and for said county and State, personally came Gordon Pierce, who is known to me and who being first, by me, duly sworn, doth depose and on oath say as follows, to-wit: That he is the manager of the printing department of the Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set forth, was published in said county in said paper for four consecutive weeks beginning with January 16th, 1907; and that the following is a true and correct copy of said notice:

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, now in session, for the purpose of repealing an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large," approved Feb. 17th, 1893, and which said act is found in acts of Alabama of 1892-3 on pages 660, 661, 662, 663. This 12th day of Jan. 1907.

J. Lee Long.
Gordon Pierce.

Sworn to and subscribed before me on this 6th day of July, 1907.

Thos. J. Judge,
Notary Public.

By Mr. Arnold, (with notice and proof) :

H. 897. To change the boundary line between the counties of Cleburne and Calhoun.

County and County Boundaries.

Notice and Proof. H. 897.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at the next session to change the boundary line between Calhoun county and Cleburne county, viz.: sections twenty-one, twenty-eight, thirty-three, thirty-two, twenty-nine and thirty-one, all in township fourteen, south of range ten east in Calhoun county, and to annex the said territory to Cleburne county; and to take from Cleburne county the following territory, viz.: Sections one, two, three, ten, eleven and twelve, in township seventeen, south of range eight, east, and to annex said territory to Calhoun county.

John M. Snow,
Geo. W. Eichelberger.

The State of Alabama, }
Cleburne County. }

Before me, A. E. Carruth, judge of probate, in and for said State and county, personally appeared Anderson Johnson, who being duly sworn, says, that he is editor and publisher of the New Era, a weekly newspaper published at Heflin, in Cleburne county, Ala., and that the notice hereto attached, signed by John M. Snow and George W. Eichelberger, was published in said New Era for four consecutive weeks, beginning May 11th, 1907.

Anderson Johnson, Ed. and Pub.

Sworn to and subscribed before me this 12th day of June, 1906.

A. E. Carruth,
Judge of Probate.

The State of Alabama, }
Calhoun County. }

Before me, E. F. Cook, judge of probate, in and for said county, personally appeared E. B. McKee, who being duly sworn, deposes and says that he is general man-

ager of the Anniston Republic, a weekly newspaper published at Anniston, in Calhoun county, Alabama, and that the notice following, signed by John M. Snow and George W. Eichelberger, was published in said Anniston Republic for four consecutive weeks, beginning May 18th, 1907, to-wit:

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at its next session to change the boundary line between Calhoun county and Cleburne county so as to take the following territory from Calhoun county, viz.: Sections twenty-one, twenty-eight, thirty-three, thirty-two, twenty-nine and thirty-one, all in township fourteen, south of range ten, east in Calhoun county, and to annex the said territory to Cleburne county; and to take from Cleburne county the following territory, viz.: Sections one, two, three, ten, eleven, and twelve, in township seventeen, south of range eight, east, and to annex said territory to Calhoun county.

E. B. McKee.

Sworn to and subscribed before me, this 18 day of June, 1907.

E. F. Crook,
Judge of Probate.

By Mr. Middleton, (with notice and proof):

H. 898. To prohibit the sale of wine in the city of Thorsby, Alabama, in quantities less than one gallon; to prohibit the drinking of wine on the premises where sold, or in a room adjoining the premises where sold; and to provide that any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars and costs for each offense; and repealing all laws and parts of laws in conflict with this act.

Temperance.

Notice and Proof. H. 898.

The State of Alabama, }
Chilton County. }

I, Wallace C. Elder, editor and publisher of The Union, a newspaper published in Chilton county, Alabama, hereby certify that the following notice:

TO WHOM IT MAY CONCERN.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, to be entitled an act to prohibit the sale of wine in the city of Thorsby, Alabama, in less quantities than one gallon; prohibiting the drinking of wine on premises where sold or in a room adjoining the same, and providing that any person violating the provisions of said act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars and costs for each offense; and fixing the State license for the sale of wine in the city of Thorsby, Alabama, at fifteen dollars.

This January 29, 1907.

J. Bice.

Was published in The Union once a week for four consecutive weeks.

Wallace C. Elder,
Editor and Publisher of The Union.

Sworn to and subscribed before me this, July 8th, 1907.

Sam W. Collins,
Clerk Circuit Court Chilton Co., Ala.

By Mr. Carmichael, of Clay, (with notice and proof):

H. 899. To validate claims against Clay county, Alabama, for work and labor and material or supplies furnished said county under provisions of the recent Clay county road law, which has been declared unconstitutional, and authorize the commissioners' court to audit and allow such claims as preferred claims against the general fund of said county, and direct payment of same.

Judiciary.

Notice and Proof. H. 899.

NOTICE.

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama the substance of which is to validate the claims of persons, for work done or material furnished for Clay county under the provisions of the recent local road law of said county, which has been declared unconstitutional and to authorize and direct the court of county commissioners of said county to audit and allow same, and direct payment of same as preferred claims out of the general fund of Clay Co.

The State of Alabama, }
Clay County. }

Before me, S. Y. Lamberth, clerk of the circuit court of Clay county, Alabama, on this 6th day of July, 1907, personally appeared T. B. Jordan, who being duly sworn, deposes and says that he is the publisher of The Standard, a newspaper published each week at Ashland, in Clay county, Alabama, and he further deposes and says that the accompanying attached notice has been published for four consecutive weeks in said newspaper, published in Clay county, Alabama; said notice being published in the following issues of said paper: June 14, 1907; June 21, 1907; June 28, 1907; and July 5th, 1907. This July 6th, 1907. T. B. Jordan.

Sworn to and subscribed before me this July 6th, 1907. S. Y. Lamberth,
Clerk of the Circuit Court of Clay County, Alabama.

By Mr. Carmichael, of Clay, (with notice and proof) :

H. 900. To amend sections 2, 3, 6, 10, 11 (as amended March 2, 1901), 12, and 18 (as amended March 2, 1901) of "An act to establish a county court for the county of Clay," approved Dec. 13, 1898.

Judiciary.

Notice and Proof. H. 900.

The State of Alabama, }
 Clay County. }

Before me, S. Y. Lamberth, clerk of the circuit court of Clay county, Alabama, on this July 3, 1907, personally appeared T. B. Jordan, who being duly sworn, deposes and says that he is the publisher of The Standard, a newspaper published each week at Ashland, in Clay county, Alabama, and he further deposes and says that the accompanying attached notice has been published for four consecutive weeks in the said newspaper, published in Clay county, Alabama, said notice being published in the following issues of said paper: June 7, 1907; June 14, 1907; June 21, 1907; and June 28, 1907.

This July 3, 1907.

T. B. Jordan.

Sworn to and subscribed before me, this July, 3, 1907.

S. Y. Lamberth,
 Circuit Clerk, Clay County, Ala.

NOTICE.

Notice is hereby given that application will be made to the present Legislature of Alabama for the passage of a bill, the substance of which is to amend an act "To establish a county court for the county of Clay," approved Dec. 13, 1898, and amended Mar. 2, 1901, as follows:

Amend section 2 of said act by making the office of judge of the county court of Clay county elective on and after 1910; the judge to be elected by the qualified electors of Clay county at the general election in Nov., 1910, and every six years thereafter, and shall hold office six years from second Monday in Jan. 1911, or until his successor is elected and qualified; also insert words "or elected" after words "so appointed by the governor" in said section.

Amend section 3 by inserting words "or election" after word "appointed" wherever it occurs in said section and omit words "during the unexpired term of his predecessor, and."

Amend section 6 by substituting "Friday" for "Saturday" where it occurs in said section.

Amend section 10 by making the office of solicitor of said court elective on and after 1910; and term of his office 4 years; a solicitor for said court to be elected by qualified voters of Clay county in general election, Nov. 1910, and every four years thereafter who shall hold office for four years from second Monday in Jan. 1911, or until his successor is elected and qualified; also insert words "or election" after "his appointment" where they occur in said section; also omit all of original section 10 after the words—"in said circuit courts."

Amend Sec. 11 (as amended Mar. 2, 1901) by saying grand and petit juries shall be drawn by the judge and clerk of said court in the same manner as is now, or may hereafter be provided by law for drawing juries for circuit courts of the State; but that not exceeding 24 petit jurors shall be drawn for any one week; and omit from said section the words "except that the drawing of all juries under any section of this act shall be by the judge and clerk of said court."

Amend section 12 by providing that all appeal and certiorari cases brought to said court shall be tried without a jury unless one is demanded by appellant within 7 days after appeal is taken or by appellee within 7 days after service on him of notice of appeal. Said demand to be in writing and filed with the clerk of said court.

Amend section 18 (as amended Mar. 2, 1901) by making the judge's salary \$1,500 per annum, payable in equal monthly installments by the State, as salaries of circuit judges of the State are now paid.

By Mr. Carmichael, of Clay, (with notice and proof) :

H. 901. To authorize the court of county commissioners of Clay county, Alabama, to pay, annually, on claims for public roads and bridges, an amount, out of the general fund of said county, not to exceed one-fifth of said general fund, levied and collected in any one year.

Local Legislation.

Notice and Proof. H. 901.

Notice is hereby given that a bill will be introduced in the present Legislature of Alabama for the passage of an act the substance of which is to authorize the court of county commissioners of Clay county, Alabama, when deemed necessary by said court to pay annually on claims for public roads and bridges out of the general funds of said county an amount not to exceed one-fifth (1-5) of said general fund levied and collected in any one year.

The State of Alabama, }
 Clay County. }

Before me, S. Y. Lamberth, clerk of the circuit court of Clay county, on this July 6th, 1907, personally appeared T. B. Jordan, who being duly sworn, deposes and says that he is the publisher of The Standard, a newspaper published each week at Ashland, in Clay county, Alabama, and he further deposes and says that the accompanying attached notice has been published in said newspaper, published in Clay county, Alabama; said notice being published in the following issues of said paper: June 14, 1907; June 21, 1907; June 28, 1907; and July 5th, 1907. This July 6th, 1907. T. B. Jordan.

Sworn to and subscribed before me this July 6, 1907.

S. Y. Lamberth,
 Circuit Clerk, Clay County, Alabama.

By Mr. Arrington, (with notice and proof):

H. 902. To provide for the collection and disbursement of proceeds appropriated by law to the public schools of Coffee county from the dispensaries of said county.

Education.

Notice and Proof. H. 902.

The State of Alabama, }
 County of Montgomery. }

Before me, R. G. Arrington, a notary public, in and for said State and county, personally appeared R. H. Arrington, who being by me first duly sworn, doth say on his oath, that the notice hereto attached marked "Exhibit A" relating to the establishment of a dispensary board for Coffee county and providing for the distribution of the proceeds appropriated to the public schools of Coffee county from the dispensaries of said county, was published, without cost to the State, for four consecutive weeks, next before the making of this affidavit, in the People's Ledger, a newspaper published at Enterprise, Coffee county, Alabama, and that the said newspaper has been published and issued regularly in weekly editions for the last twelve months.

R. H. Arrington.

Sworn to and subscribed before me, this 18th day of February, 1907.

Robt. G. Arrington,
 Notary Public.

NOTICE.

Notice is hereby given that at the session of the Legislature that convenes on the 8th day of January, 1907, application will be made for the passage of a law that will provide a county board to compose of three householders of Coffee county, said board to be known as the county dispensary board; to provide for their selection, term of office and compensation, and to provide their duties which shall be in substance as follows: To collect or receive the proceeds from the dispensaries that shall be appropriated by law to the public schools of Coffee county to pay the same over to the trustees of such districts in proportion to the number of children in each district; to select a treasurer from among themselves and to require a bond for the faithful performance of his duties.

To provide that the following named men shall constitute the said board, W. C. Jones, C. E. Roberts and T. J. Moseley, and their successors shall be elected by the court of county commissioners of Coffee county.

To provide that the commissioners of the respective dispensaries in Coffee county shall pay to the said board whatever proportion of the net proceeds that has been or may be appropriated by law to the public schools.

To provide in what manner the money shall be spent by the district trustees for the benefit of the schools.

To repeal all laws or parts of laws in conflict with this act.

By Mr. Carmichael, of Colbert :

H. 903. To ratify, legalize and confirm all sales and conveyances heretofore made by electric light and power companies, water companies and street railway companies, of all their property and franchises, to any corporation authorized by its charter, certificate of incorporation, or declaration of incorporation, to acquire, own or operate such properties and franchises, where sales and conveyances have been made pursuant to and with the consent of all stockholders of such selling corporation or corporations; and requiring the purchasing corporation to fulfill all of the obligations, contracts and duties of the said selling corporation or corporations.

Judiciary.

By Mr. Carmichael, of Colbert, (with notice and proof) :

H. 904. To prohibit and punish the selling, bartering or exchanging of spirituous, vinous or malt liquors, or intoxicating drinks in the county of Colbert, after the first day of August, 1907, excepting dispensaries located in the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in said county, and to allow the sale of grape wine under certain conditions.

Temperance.

Notice and Proof. H. 904.

NOTICE.

When the Legislature of Alabama reconvenes in session on July 9th, 1907, a bill in substantially the following language, will be introduced and passed:

A BILL

To be entitled an act, to prohibit and punish the selling, bartering or exchanging of spirituous, vinous or malt liquors or intoxicating drinks in the county of Colbert, after the first day of August, 1907, except in dispensaries located in the cities of Sheffield and Tusculumbia, and the towns of Leighton and Cherokee, in said county, and to allow the sale of grape wine under certain conditions.

Section 1. Be it enacted by the Legislature of Alabama, That it shall be unlawful to sell, barter or exchange spirituous, vinous, or malt or intoxicating drinks in the county of Colbert after the first day of August, 1907, except in dispensaries located in the cities of Tusculumbia and Sheffield, and the towns of Leighton and Cherokee. Nothing in this act, however, shall prevent the sale on their own premises of grape wine, manufactured from pure grape juice, in quantities not less than a quart, by persons who have manufactured the same from grapes grown on the premises of the seller where no part of the same is drunk on or about the premises.

Section 2. Any person violating the provisions of this act shall be guilty of a misdemeanor and on conviction shall be fined not less than \$80.00 nor more than \$500.00 and shall be sentenced to hard labor for the county for not less than one year. This 3rd day of June, 1907.

A. H. Carmichael.

The State of Alabama,)
Colbert County.)

Before me, John W. Johnson, a notary public in and for said county and State, personally appeared John W.

Davis, who being by me duly sworn, deposeth and saith, that he is editor and proprietor of the Tusculumbia Dispatch, a newspaper published in Colbert county, Alabama, and that the above and foregoing notice of proposed legislation to amend the act establishing dispensaries at certain places in Colbert county was published in the said newspaper once a week for four consecutive weeks beginning on June 3rd, 1907.

Jno. W. Davis.

Sworn to and subscribed before me on this the 6th day of July, 1907.

Jno. W. Johnson,
Notary Public.

By Mr. Carmichael, of Colbert:

H. 905. To provide for the publication of the local laws enacted by the Alabama Legislature in the various counties to which they apply.

Public Printing.

By Mr. Carmichael, of Colbert:

H. 906. To appropriate a sum of money to pay for the stationery and stationery supplies used by the Legislature of Alabama during this present session.

Appropriations.

By Mr. Carmichael, of Colbert:

H. 907. To provide for the making of bonds of the State auditor and Secretary of State through guarantee companies and to provide for the payment of the premium on same.

Judiciary.

By Mr. Rushton:

H. 908. To make it lawful for the defendant, in all prosecutions for libel or for the publication of papers investigating the official conduct of officers or men in public capacity, or when the matter published is proper for public information, to give in evidence the truth thereof and such evidence shall be good in mitigation, extenuation or justification, as the jury may determine, and the jury shall have the right to determine the law and the facts under the direction of the court.

Judiciary.

By Mr. Rushton:

H. 909. To amend section 5065 (3773) (4107) of the Code of 1896.

Judiciary.

By Mr. Rushton:

H. 910. To amend section 1134 of the Code of 1896.
Banking and Insurance.

By Mr. Rushton:

H. 911. To make it unlawful for any white man and any negro woman or the decendant of any negro, to the third generation, inclusive, though one ancestor of each generation was a white person, or for any white woman and any negro man, or decendant of any negro, to the third generation, inclusive, though one ancestor of each generation was a white person, to cohabit with, or to have sexual intercourse with, or to lie in bed with, or to live in the same room with, each other. And to fix a punishment for the violation thereof.

Judiciary.

By Mr. Rushton, (with notice and proof):

H. 912. To repeal an act entitled an act "To constitute a board of jury commissioners for Crenshaw county, approved Feby. 7th, 1899."

Revision of Laws.

Notice and Proof. H. 912.

A BILL

To be entitled an act, to repeal an act entitled an act, "To constitute a board of jury commissioners for Crenshaw county," approved February 7th, 1907.

Section 1. Be it enacted by the Legislature of Alabama, That an act entitled an act "to constitute a board of jury commissioners for Crenshaw county, approved February 7th, 1899," be and the same is hereby repealed.

The State of Alabama, }
Crenshaw County. }

Personally appeared before me, M. N. Rushton, a notary public in and for said county, W. B. Howard, who

being duly sworn says on oath that he is the editor and publisher of the Crenshaw County Critic, a newspaper published in said county, and that the notice of a bill to repeal an act entitled an act to constitute a board of jury commissioners for Crenshaw county, approved February 7th, 1899, hereto attached, was published in said Crenshaw County Critic once a week for four consecutive weeks before making this affidavit.

W. B. Howard.

Subscribed and sworn to before me, this 8th day of July, 1907.

M. N. Rushton,
Notary Public.

By Mr. Parker, (with notice and proof) :

H. 913. For the maintenance, improvement, and protection of the public roads and bridges of Cullman county, Alabama, and to provide for a special road tax therefor; also, for the purchase of implements, teams and other things necessary in the construction and improvement of the same; to pay for the same either out of the general fund for the county or the special road and bridge fund; to provide for the appointment of the commissioners' court of said county, of a road superintendent or superintendents and surveyor or surveyors, fixing their pay, defining their duties, and conferring special powers on the commissioners' court of said county; providing for the method of employing hands and how certain parties may be required to take out a license for the use of said public roads; providing the method of appointing apportioners and overseers and defining their duties, and how they can be excused from serving as such; defining the road year and those liable to road duty, the time they may be required to work; describing the manner in which they may pay in lieu of work to the tax collector of said county, and his duty as to same, and the method of warning hands, and defining those who are exempt from road duty.

Public Roads and Highways.

Notice and Proof. H. 913.

LEGAL NOTICE.

Notice is hereby given that application will be made at the reconvening of the Legislature of Alabama in July, 1907, to pass the following bill, viz.:

A BILL

To be entitled an act for the maintenance, improvement and protection of the public roads and bridges of Cullman county, Alabama, and to provide for a special road tax therefor; also for the purchase of implements, teams and other things necessary in construction and improvement of the same; to pay for the same either out of the general fund for the county or the special road and bridge fund; to provide for the appointment by the commissioners' court of said county of a road superintendent or superintendents and surveyor or surveyors, fixing their pay, defining their duties, and conferring special powers on the commissioners' court of said county; providing for the method of employing hands and how certain parties may be required to take out a license for the use of said public roads; providing the method of appointing apportioners and overseers and defining their duties, and how they can be excused from serving as such; defining the road year and those liable to road duty, the time they may be required to work; prescribing the manner in which they may pay in lieu of work to the tax collector of said county, and his duty as to same, and the method of warning hands, and defining those who are exempt from road duty.

Be it enacted by the Legislature of Alabama:

Section 1. That this act and the general laws of the State not in conflict with this act shall constitute the law for Cullman county on the subject of public roads and bridges.

Sec. 2. That it shall be the duty of the court of county commissioners of Cullman county, Alabama, to purchase or hire all such horses, mules, live stock, teams, harness, machines, wagons, carts, scrapes, plows, tools, tents, implements, materials and other paraphernalia or things as may be necessary in the construction, working or maintenance or repair of the public roads and bridges in Cullman county, Alabama, and said court is hereby authorized to appropriate out of the general funds in the county treasury from time to time such amount or amounts as the said court may determine as will not interfere with defraying the necessary and general expenses of the county for the purpose of paying for the same, and also for the erection, equipping, maintenance and repair of said public roads and bridges of said county, and for the payment of all just claims against the said county for said purpose. And the said court may make such provision for the care of all live stock and other property belonging to the county used in the working of its roads as it deems best. And said court may from time to time sell any property purchased or used in and about the working of said public roads, and said court shall have the right and authority to employ such hands as may be required or deemed necessary in the working, maintaining and building and repairing of the roads and bridges of the said county.

Sec. 3. The court of county commissioners shall, as soon as practicable after the passage of this act, appoint one or more superintendents of public roads and bridges in said county, who shall have the control and supervision of all the public roads and bridges of such district so set apart to him by the said court of county commissioners as to manner of working and repairing, and maintaining the same, under the direction, control and supervision of the said court of county commissioners, and who shall hold office for a term of one year.

Sec. 4. That the said superintendents shall, before entering upon the duties of said office, qualify by taking and filing the statutory oath of office and giving bond for the faithful performance of the duties of the said office, payable to Cullman county, Alabama, in the sum of

two thousand dollars, with sureties thereon to be approved by the probate judge of said county, and which oath and bond shall be recorded as other official bonds are required to be recorded in the office of the judge of probate of said county.

Sec. 5. That the said superintendents shall receive a salary not to exceed one thousand dollars each per annum, to be determined by said court of county commissioners, before he enters upon the duties of said office to be paid him monthly, by a warrant to be drawn by the judge of probate of said county, upon the special road and bridge fund in the county treasury. Said superintendent or superintendents may be removed from office at any time whenever in the opinion of the court of county commissioners it is best to do so, and at which time his salary shall cease. That if the office of superintendent shall become vacant by death, resignation, removal or otherwise, the commissioners' court at the next regular term or called meeting thereafter shall appoint a suitable person to fill the unexpired term.

Sec. 6. That the duties of the said superintendent or superintendents of public roads and bridges in said county shall be:

(1) To have control and supervision of the overseers and public roads of said county and direct the manner of working said roads, subject only to such rules and directions as may have been previously made and given him by the said court of county commissioners of said county.

(2) To remove any overseer who shall fail or refuse to perform his duties or comply with any reasonable order or direction of said superintendent or said court of county commissioners, and to appoint another in his place, and to fill vacancies in the office of overseer.

(3) To work and improve the roads of Cullman county as he may directed to do by the court of county commissioners before beginning work on any road in any locality in the county. If deemed necessary by the superintendent he shall give the overseer of said road five days' notice of his intention to begin work, whereupon the overseer of said road shall call out for road

duty all persons subject to road duty on said road, and said overseer and road hands shall meet the superintendent at the place designated in the notice given by the superintendent to said overseer. The overseer shall see that each hand apportioned to a public road or liable to work thereon has had the notice required by law, and that all persons liable to road duty perform their equal share of service, and in the event any person who has been warned to work on a public road has a sufficient excuse for not working at the appointed time the superintendent or overseer shall see that each person perform his equal share of road service at other times and places. He shall also, in conjunction with the overseer, make a memorandum of all defaulters and see that the overseer and persons liable to road duty perform all the duties required of them by law, and especially report to the court of county commissioners and the grand jury of said county at the next term thereof the names of all overseers who fail to comply with the law requiring them to prosecute defaulting road hands.

(4) To contract for building or repairing small bridges, culverts and causeways, with the permission and consent of the commissioners' court and contract for such timber and materials as may be necessary for the building or repairing of said small bridges, culverts and causeways, and contract for the erection of mile posts and sign posts.

(5) To dismiss from service on the road any hand, whether working for himself or as a substitute, who shall fail or refuse to do good and sufficient work, or who may be intoxicated, or who shall use any vulgar, profane or obscene language, after having been requested by the superintendent or overseer not to do so, or who shall refuse to obey any reasonable order of the overseer or superintendent, and have such person proceeded against as though he had failed to obey the notice to work or had failed or refused to work on said road.

(6) To take good care of teams, live stock, tools and implements turned over to him by the court of county commissioners or which have come to his charge or custody in any manner, to use the same only on the public

roads of the county, and at the expiration of his term of service or on his removal from office he shall deliver the same to the probate judge of Cullman county or to his successor in office.

(7) To make reports under oath to the court of county commissioners at the regular terms in February, May, August and November in each year, showing the time each laborer has worked under him, together with any other reports as may be required of him by the court of county commissioners.

(8) To make monthly reports, under oath, to the judge of probate of said county, stating the names of the pay laborers he has had in his said employ and the time they have so worked, together with the amount of the pay of each set opposite their respective names, to which they are entitled for labor performed under him, and the judge of probate shall immediately draw a warrant on the treasurer of said county in favor of each of said laborers for the amount which is due him, if the said sum is such as has been heretofore authorized by the commissioners' court of said county.

Sec. 7. The court of county commissioners of Cullman county shall have the power at any time after the passage of this act as follows:

(1) To employ a competent surveyor or civil engineer for the use of the public roads and bridges of said county and to fix a reasonable compensation for his services.

(2) To require persons operating saw mills in the county when logs or lumber or any portion thereof is hauled over the public roads of the county, or any specific portion thereof, to first secure a license from the probate judge of said county, and to prescribe the price to be paid for the same.

(3) To require persons hauling logs, lumber or other timber or cross-ties of whatever description over the public roads of said county, or any portion thereof, to secure a license from the judge of probate, and to prescribe a price to be paid for such license on each wagon or dray so engaged. All money collected under this and the preceding sections shall go into the special road

and bridge fund of the said county. The probate judge is entitled to twenty-five cents for issuing each license, to be paid by the party applying for the same.

(4) To enter up any order or decree that said court may deem wise and proper for the benefit of the public roads and bridges of Cullman county not inconsistent with the general laws of the State of Alabama and not inconsistent with this act.

(5) Any person who violates any order or decree made by the court of county commissioners of said county under the provisions of this act shall be guilty of a misdemeanor, and on conviction must be fined not less than ten dollars nor more than one hundred dollars, to be paid in money and to go into the road and bridge fund of the said county.

(6) Said court shall employ or authorize the superintendent or superintendents to employ such laborers in any manner as in its or his judgment shall seem best, and which said laborers shall be under the direct supervision and control of said superintendents.

Sec. 8. The superintendent of said hired laborers shall actually work said laborers not less than eight hours each day. And superintendent failing, without sufficient cause or good excuse, to work said laborers at least eight full hours in each day, as above provided, shall be removed from office and shall forfeit his salary for the month or months in which such failure or failures occur. But nothing herein contained shall be so construed as to require persons who work the road in response to the summons given by overseers to work, to work at other different hours than those now fixed and provided for by the general laws of this State.

Sec. 9. Said apportioners and overseers are to be appointed, have authority, and their duties shall be such as are set out in the general road law for the State of Alabama, save and except the same conflict with this act, and in that event this act is to control.

Sec. 10. Any person appointed superintendent, apportioner or overseer may send in his excuse for not accepting, and after accepting may resign to the judge of probate of said county. Such excuse or resignation

must be in writing, and the excuse for not serving or the reason for resigning must be stated therein and sworn to. The judge of probate shall pass upon such excuse or resignation; and may accept or reject the same.

Sec. 11. The mode of warning hands is for the overseer, or some one appointed by him, to give two days' notice, in person or in writing, to be left at the place of residence, to all persons liable to road duty to meet at such time and place as the overseer may appoint, and with such tools as he may direct.

Sec. 12. The current road year shall begin on the first day of January, 1907, and shall end on the thirty-first day of December, 1907, and thereafter the road year shall begin on the first day of January and end on the thirty-first day of December succeeding .

Sec. 13. No person or hand in Cullman county shall be liable or required to work any public road more than eight days in any one year, not counting the days engaged in opening new roads.

Sec. 14. All persons residing in Cullman county not herein exempted shall be liable to work on the public roads of said county for eight days for each road year, not counting the days engaged in opening new roads. The following named persons only are exempt from road duty: All persons who reside in municipal corporations and are liable to street or road duty therein; all females, guards and persons having control of convicts, all male persons under eighteen years of age and over forty-five years of age; all maimed and disabled persons, who shall procure a certificate of such disability from the commissioner's court of said county.

Sec. 15. Any person who may be liable to road duty under the provisions of this act may discharge such liability by paying the sum of five dollars to the Tax collector of Cullman county on or before the first day of January of each year preceding the road year for which he would be liable for road duty. Said tax collector shall issue to him on blanks furnished by the court of county commissioners of said county a receipt, giving his full name, the precinct in which he resides and the year for which he has so paid.

Sec. 16. During the month of January in each year the tax collector of said county shall file an alphabetical list, according to precincts, of the persons paying him the said amount of five dollars in lieu of work in the office of the judge of probate of said county, and shall mail a copy of said lists to the road superintendent or superintendents of said Cullman county, giving the names in full of the persons so paying, together with the total amount received under the provisions of this act. Said superintendent or superintendents shall likewise give notice to the overseers within the county or his district of the names in full of each person so paying within the road precinct of each overseer within ten days after the receipt of said list from said tax collector. The tax collector shall receive for his services under this act such sum as the commissioners' court may fix, not to exceed three per cent of the amount collected thereunder. Said tax collector shall pay in monthly into the county treasury all moneys received by him under this act, and notify the judge of probate of the amount so paid, and said amounts shall go into the road and bridge fund of said county.

Sec. 17. The court of county commissioners of Cullman county be and they are hereby authorized and empowered to levy a special tax of not exceeding one-fourth of one per cent per annum on all taxable property within said county for the purpose of paying for the building, erection, maintenance and repair of the public roads and bridges of said county, which said special tax shall be levied and collected as other State and county taxes are levied and collected, but the funds arising from the same shall be kept separate from all other funds, and shall only be used for the purpose for which the same was levied and collected. Said fund is to be known as the special road and bridge fund of Cullman county.

Sec. 18. It shall be unlawful for any person to drag any logs or timber of any description along or across any public road in Cullman county, or to bunch such timber on or along such road so as to injure the same by the reloading or removing such timber or to place

any timber, lumber or other obstruction in any culvert or ditch along said road so as to cause the same to fill up to any extent or so as to obstruct the free passage of water along or through the same. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than ten dollars or more than one hundred dollars, and said fine to be paid in money and to go into the special road and bridge fund for the county.

Sec. 19. Any firm, person or corporation engaged in the business of, or hauling lumber, timber, cross-ties or other heavy loads or running machinery over the public roads of Cullman county, who shall damage, break or destroy any bridge or culvert on the roads of said county shall, upon being notified either in person or by written notice given by the overseer of said road, or the superintendent of said road, and who shall within five days after such notice fail or refuse to repair the bridge or culvert so damaged, broken or destroyed shall be guilty of a misdemeanor, and on conviction shall be fined not less than ten dollars nor more than one hundred dollars, and said fine shall be paid into the special road and bridge fund of the county in money.

Sec. 20. The court of county commissioners shall keep printed copies of this act in the office of the judge of probate of said county, and said judge of probate shall distribute the same to apportioners and road overseers in the county and to such taxpayers therein who shall apply for the same.

Sec. 21. That all laws, local, special or private and general, in conflict with this act be and the same are hereby repealed.

Sec. 22. That it shall be the duty of the circuit judge to give this act in charge to the grand jury at each term of the circuit court of said county.

Dated at Cullman, Alabama, March 29, 1907.

J. E. Edwards,
A. B. Brindley,
And others.

Subscribed and sworn to before me this 3rd day of
July, 1907.

Joe H. Smith,
Notary Public, Lee County, Alabama.

By Mr. Smith, of Lee, (with notice and proof).:

H. 964. To amend sections 5 and 15 of an act entitled "An act to establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, provide for fees, commissions, fines, forfeitures and juries in said court; provide for supplies for said court, and repeal conflicting laws," approved the 5th day of March, 1907.

Revision of Laws.

Notice and Proof. H. 964.

The State of Alabama, }
Lee County. }

Before me, Joe H. Smith, a notary public in and for said county and State, personally appeared W. T. Wear, who being duly sworn, deposes and says that he is one of the editors of the Opelika Daily News, a daily newspaper published in Opelika, in said county, and that the following notice, to-wit:

NOTICE.

Notice is hereby given that, in the Legislature of Alabama, upon its reassembling after the present recess, a bill will be introduced and its enactment promoted by all proper means, the substance of which bill is to so amend an act entitled "An act to establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, and provide for fees, commissions, fines, forfeiture and juries in said court, pro-

vide for supplies for said court, and repeal conflicting laws," approved March 5, 1907, so as to authorize and empower the judge of said court, by orders entered on the minutes, to fix the time and manner of holding the sessions of said court, to designate separate weeks for the settling of pleadings in civil cases and for the trial, respectively, of equity cases, of civil cases at law in which jury has been waived, of civil cases at law in which jury has been demanded, and of criminal or quasi criminal cases, to prescribe the particular weeks of the term to which the clerk and register of said court shall summon petit jurors; and to authorize the court to take, during its regular terms, such temporary recesses as shall be deemed proper and expedient.

Albert E. Barnett,
R. C. Smith.

Was published in said paper for four consecutive weeks, to-wit: in issue of June 8th, 1907, June 15th, 1907, June 22nd, 1907, and June 29th, 1907.

W. T. Wear.

Subscribed and sworn to before me this 3rd day of July 1907.

Joe H. Smith,
Notary Public, Lee County, Alabama.

By Mr. Kirby:

H. 965. To fix the times and place of holding the chancery court in the eighth district of the northern division, composed of the county of Madison.

Judiciary.

By Mr. Kirby, (with notice and proof):

H. 966. To amend section 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26th, 1907.

Judiciary.

Notice and proof H. 966.

The State of Alabama, }
Madison County. }

Before me, W. F. Esslinger, a notary public in and for said State and county this day personally appears Susanna W. Clay, who being duly sworn, says that the following notice of intention to apply for amendments to local law, to-wit:

NOTICE OF INTENTION TO APPLY FOR AMENDMENTS TO
LOCAL LAW.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, at its present session, to be entitled an act to amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act to establish a law and equity court for Madison county, approved February 26th, 1907.

The changes made by the amendments to said sections in the sections as they appear in the act are substantially as follows:

Section 7 is amended so as to change the terms of the court from the second Monday in January to the first Monday in March, and from the third Monday in September to the first Monday in October; the March term may continue until the last Saturday in June, inclusive, and the October term until the last Saturday in February, inclusive.

Section 8 is amended so as to provide that grand juries must be organized the first week of each term, each session limited to two weeks unless the judge extends the session. A grand jury may also be organized at any other time during a term with duties and powers of grand juries, generally, sessions limited to the week in which organized unless the judge extends the session; to be summoned and organized in the manner provided by section 5,000 of the Code.

Section 14 is amended so as to require the justice or notary in cases of levy on land under execution or attachment from his court to transmit all the papers, to the present term of this court, if practicable, otherwise

to the next term, whereupon this court may proceed at once to order a sale of the land in like manner as circuit courts.

Section 21 is amended so as to provide that the register shall have, exercise and discharge the same powers and duties in term time as in vacation.

Section 24 is amended so as to make warrants in misdemeanor cases returnable before the judge, and so as to require an accused party wishing to have such charge investigated by a grand jury, to make the demand when the case is first called for trial, and in any event, before a continuance thereof and not afterward.

Section 27 is amended so as to require bills of exception to be signed within twenty days from the date of the judgment, but the judge may extend the time not later than ninety days from the date of the judgment, and any number of extensions may be made, provided each order of extension is made before the expiration of the former order all not to exceed said ninety days.

Section 29 is amended so as to regulate more in detail the proceedings and practice in appeal cases from the courts of justices and notaries, the chief additions or changes being to make appeal cases returnable to the present term of the court unless the appeal is taken in vacation, then to the next term, and to provide that appeal cases stand for trial at once, subject to the regulations laid down in the section as amended.

Section 32 is amended so as to require any balance of the funds arising from sentences for costs in misdemeanor cases in the court, above the costs, and all funds arising from sentences on convictions in this court, except that part of such funds arising from the sentence for the fine, over and above the amount necessary to pay the costs, to be paid into the county treasury to the credit of the general fund.

Each of said sections, as amended, except for the amendments thereto, is a substantial reproduction of such section as it appears in the act amended.

Was published once a week for four consecutive weeks upon the following dates, to-wit: May 22 and 29th, and

June 5th and 12th, 1907, in the Huntsville Weekly Democrat, a newspaper published in said county of Madison and that affiant is the editor and publisher of said newspaper.

Susanna W. Clay.

Sworn to and subscribed before me this the 13th day of June, 1907.

W. F. Esslinger,

Notary Public.

By Mr. Hoffman:

H. 967. To provide artificial limbs for persons who have lost a limb or limbs whilst serving in the confederate army during the late civil war.

Appropriations.

By Mr. Hoffman, (with notice and proof):

H. 968. To amend section one of an act, approved December 7th, 1896, entitled an act to amend section 1, of an act entitled an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river, and the tributaries of those streams in Mobile county, approved February 18th, 1895.

Local Legislation.

Notice and Proof. H. 968.

NOTICE.

Notice is hereby given of the intention to apply to the Legislature of Alabama, at its adjourned session, commencing on the day of July 8, 1907, for the passage of a law making it unlawful for any person to use, for the purpose of catching fish in Little river, Mobile county, and the tributaries thereof, or within three hundred feet of the mouth thereof, and seine, gill net or tresmire net, or net of like kind, excepting, however nets known as cast nets, and to make the violation thereof a misdemeanor, said law to be incorporated as an amendment to an act approved December 7th, 1896, for the protection of fish in Deer river, East Fowl river, West Fowl river, and Bayou La Batre.

D. T. McLean.

Mobile, May 2, 1907.

The State of Alabama, }
 Mobile County. }

Before me, Jno. E. Mitchell, a notary public in and for Mobile county, Alabama, personally appeared Thomas B. Allman, who being first duly sworn, says that he is cashier of the Daily Herald, a newspaper published in the city of Mobile, Alabama; that the above notice was published once a week, for four consecutive weeks, in said Daily Herald, on, to-wit, May 2nd, 9th, 16th, 23rd, 1907.

Thomas B. Allman.

Subscribed and sworn to before me this 27th day of June, 1907.

Jno. E. Mitchell,

Notary Public, Mobile County, Alabama.

By Mr. Hoffman, (with notice and proof) :

H. 969. To provide for the more efficient working of the public roads in Mobile county, and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners of Mobile county; provide for the levy and collection of a road tax, and the method of disbursing moneys necessary to carry out the provisions of this act, and provide penalties for violations of its provisions.

Public Roads and Highways.

Notice and Proof. H. 969.

EXHIBIT "A".

Notice is hereby given of the intention to apply to the Legislature of Alabama for the passage of a local or special law, the substance of the proposed law, being to provide for the control, working, maintenance, building and improving of the public roads in Mobile county, as well as certain roads or thoroughfares within the city of Mobile, and to provide a road tax, to be paid by persons not exempt under the

general laws from road duty, the collection and disbursements thereof and a penalty for any failure to comply with the provisions of the law.

In substance, the proposed law will place the entire subject matter in the charge and control of the board of revenue and road commissioners of Mobile county, who elect a road superintendent; to provide that the superintendent shall, under the direction of the board, oversee and direct all work on every road embraced in the county, and those in the city provided for; the board to fix the compensation of the superintendent; to authorize the board to appropriate such monies out of the county treasury as may be necessary for the proper working, maintenance and improvement of the said roads; to make all persons liable to road duty, except those exempt under the general laws, providing, however, for a release from such liability upon the payment of not more than three dollars road tax, and fixing a penalty for failure to pay.

To provide for the collection of the road tax; the making of lists in each precinct of persons liable to road duty, and requiring payment of the tax to the nearest justice of the peace or the county treasurer, numbered receipts issued the county treasurer to be given for each payment; the deposit of same with the county treasurer and commissions of justice of the peace; the county treasurer shall audit the receipt book issued by him, keep an accurate account and deposit the revenue in a separate fund known as "road tax"; the board to fix his compensation; to require all corporations or firms, employing two or more persons, to furnish the county treasurer with the names of such and fixing a penalty for failure to do so.

To provide where persons who do not pay the road tax may be worked on the roads; to permit the working all or any part of said roads by contract, but all contracts over \$50.00 must be advertised for at least ten days and awarded to the lowest bidder, provided any or all bids may be rejected; to authorize the employment of such labor, the purchase of such property, wagons and outfit as may be necessary to carry on the work; to require

the majority of the board of county commissioners to visit together every road in the county of Mobile at least three times a year, and make affidavit to that effect, and a penalty for failure so to visit the roads; to require the superintendent to keep detailed accounts of all work, and a map showing where all work is done; and as compensation the members of the board of revenue and road commissioners for the service hereby required of them they shall be entitled to and receive one thousand dollars per annum, payable monthly.

The State of Alabama, }
Mobile County. }

Before me, the undersigned authority, personally appeared M. P. Dowling, who is known to me, and who being first duly sworn doth depose and say: I am the book-keeper for the Mobile Daily Item; I have personal knowledge that the foregoing notice marked "Exhibit A" was published in the Mobile Daily Item, a newspaper published in the city and county of Mobile, Alabama, once a week for four consecutive weeks, to-wit, on June fourth, June eleventh, June eighteenth and June twenty-fifth, 1907.

M. P. Dowling.

Subscribed and sworn to before me this 8th day of July, 1907.

Clara M. Stokes,

Notary Public, Mobile County, Ala.

By Mr. Hoffman, (with notice and proof):

H. 970. To prohibit the sale, giving away, or otherwise disposing of beer, whiskey, or other intoxicating drinks or beverages within one mile of the Barkersville Baptist church, at Pritchard, in Mobile county, Alabama, and provide a penalty for a violation of this act.

Temperance.

Notice and Proof. H. 970.

The State of Alabama, }
Mobile County. }

Personally appeared between me, William P. Burgett, a notary public, in and for said State and county,

Thomas B. Allman, who on oath deposes and says that he is the cashier of the Herald Publishing Company; that said company publishes the Mobile Daily Herald, which is a newspaper published in the city and county of Mobile; that the subjoined advertisement was published in said newspaper once each week for four consecutive weeks, as required by section 106 of the constitution, that is to say:

NOTICE.

Notice is hereby given that application will be made at the present Legislature of Alabama to re-convene in July, 1907, for the passage of an act to prohibit the sale, giving away, or otherwise disposing of beer, whiskey or other intoxicants, within one mile of Barkesville Baptist church, at Prichard, Mobile county, Ala.

Thomas B. Allman.

Subscribed and sworn to before me this 29th day of June, A. D., 1907. Wm. P. Burgett,
Notary Public, Mobile County, Ala.

By Mr. Lyons, (with notice and proof):

H. 971. To provide for the compensation of the solicitor for Mobile county, to be elected in 1910, and his successors in office.

Appropriations.

Notice and Proof. H. 971.

The State of Alabama, }
Mobile County. }

Before me, James H. Webb, a notary public in and for the State and county aforesaid, personally appeared J. F. Carter, Jr., who being by me first duly sworn says, that he is managing editor for the Daily Herald, a newspaper published in the city and county of Mobile, State of Alabama, and that the following notice was published in said paper once a week for four successive weeks during the month of June, 1907, on, to-wit, the 7th, 14th, 21st, and 28th of said month:

NOTICE.

Notice is hereby given of intention to apply to the Legislature of Alabama, at its present session when it reconvenes in July, 1907, for the passage of the following bill, viz.:

A BILL

To be entitled an act to provide for the compensation of the solicitor for Mobile county to be elected in 1910 and his successors in office.

Section 1. Be it enacted by the Legislature of Alabama, That the solicitor for Mobile county to be elected in 1910, and his successors in office, shall receive as compensation for the performance of the duties of said office a salary of five thousand dollars a year, payable in equal monthly installments out of the treasury of said county.

The original of said notice cut from said paper is pasted hereon.

J. F. Carter, Jr.

Subscribed and sworn to before me on this the 8th day of July, 1907.

J. H. Webb,

A notary public in and for Mobile County, Alabama.

By Mr. Lyons, (with notice and proof):

H. 972. To amend section 3 of an act entitled "An act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9th, 1891.

Game, Fish and Forestry Preservation.

Notice and Proof. H. 972.

The State of Alabama, }
Mobile County. }

Personally appeare dbefore me, Joseph H. Lyons, a notary public, in and for said Mobile county, State of Alabama, Thos. B. Allman, who, being by me duly sworn, deposes and says on oath that he is the manager of the

circulating department of The Mobile Daily Herald; that the said The Mobile Daily Herald, is a newspaper published in the city of Mobile, Mobile county, Alabama; and, affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four consecutive weeks in the said The Mobile Daily Herald, that the fourth publication of said four consecutive publications of said notice was made in the said The Mobile Daily Herald on June 6th, 1907.

Thomas B. Allman,
Manager Circulation Department The Mobile Daily Herald.

Subscribed and sworn to before me this 7th day of June, 1907.

Joseph H. Lyons,

Notary Public, Mobile County, Alabama.

NOTICE.

Pursuant to constitutional requirement notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama for the purpose of amending section 3 of an act entitled "An act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9, 1891, which said section 3 reads as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell, or offer for sale, any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of this section shall not apply to salt fish nor salt water fish."

It is intended by the bill to be introduced at the present session to amend said section 3 so as to make it read as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell or offer for sale any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of

this section shall not apply to salt fish nor salt water fish, nor to catfish, nor to fish of any kind or species caught outside the boundaries of the State of Alabama."

The State of Alabama, }
Baldwin County. }

Personally appeared before me, W. D. Stapleton, a notary public, in and for said Baldwin county, State of Alabama, W. C. Dinwiddie, who, being by me duly sworn, deposes and says on oath that he is the business manager of The Baldwin Times; that the said the Baldwin Times is a newspaper published in the town of Bay Minette, Baldwin county, Alabama; and, affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four consecutive weeks in the said the Baldwin Times, that the fourth publication of said four consecutive publications of said notice was made in the said the Baldwin Times on June 20th, 1907.

W. C. Dinwiddie,
Business Manager, the Baldwin Times.

Subscribed and sworn to before me this 29th day of June, 1907.

W. D. Stapleton,
Notary Public, Baldwin County, Alabama.

NOTICE.

Pursuant to constitutional requirement notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama for the purpose of amending section 3 of an act entitled "An act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9, 1891, which said section 3 reads as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell, or offer for sale, any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of this section shall not apply to salt fish nor salt water fish."

It is intended by the bill to be introduced at the present session to amend said section 3 so as to make it read as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell or offer for sale any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of this section shall not apply to salt fish nor salt water fish, nor to catfish, nor to fish of any kind or species caught outside the boundaries of the State of Alabama."

By Mr. Lyons, (with notice and proof):

H. 973. To amend section two (2) of an act entitled "An act to amend an act entitled an act to create the office of revenue constable for Mobile county and to prescribe his duties, approved February 24th, 1887."

Local Legislation.

Notice and Proof. H. 973.

The State of Alabama, }
Mobile County. }

Personally appeared before me, J. E. McHugh, a notary public, in and for said State and county, Thomas B. Allman, who on oath deposes and says that he is the cashier of the Mobile Daily Herald; that the said Mobile Daily Herald is a newspaper published in the city and county of Mobile, Alabama, and that the following notice was published therein once a week for four consecutive weeks, as required by section 106 of the constitution.

Thos. B. Allman, Cashier.

NOTICE

Is hereby given of the intention to apply to the Legislature of Alabama, for the passage of a local law, amending an act entitled "An act to amend an act entitled an act to create the office of revenue constable for Mobile county and to prescribe his duties, approved February 24, 1887."

By striking out the words "one hundred" where the same occur in section two (2) and inserting "one hundred and twenty-five" in lieu thereof.

Subscribed and sworn to before me this 21st day of June, A. D., 1907. J. E. McHugh,
(SEAL) Notary Public, Mobile County, Ala.

By Mr. Lyons, (with notice and proof) :

H. 974. Appropriating the sum of twenty-five thousand (\$25,000) dollars to the National Negro Fair Association to assist in the construction and erection of the necessary buildings and improvements at Prichard, in Mobile county, Alabama, for said fair association, and in the maintenance of a series of fairs to be conducted at said place by the National Negro Fair Association during the fall of the years 1907, 1908, 1909, and 1910.
Appropriations.

Notice and Proof. H. 974.

The State of Alabama, }
Mobile County. }

Personally appeared before me, William J. Young, a notary public, in and for the above State and county, Thomas B. Allman, who being by me first duly sworn, states that the annexed publication has been regularly made once a week for four consecutive weeks in the Mobile Daily Herald, a newspaper published in the city and county of Mobile, State of Alabama, and that the copy of the notice so annexed, is the same notice that was regularly published as aforesaid in the issues of said paper on dates of May 28th, June 4th, June 11th, June 18th, 1907. Affiant further states that he is the cashier of The Herald Publishing Company, and has knowledge of the foregoing facts.

Thomas B. Allman.

Sworn to and subscribed before me this first day of July, A. D., 1907. William J. Young,
Notary Public, Mobile County, Alabama.

NOTICE.

Notice is hereby given that application will be made at the present session of the Legislature of Alabama, to reconvene in July, 1907, for the passage of an act appropriating the sum of twenty-five thousand (\$25,000) dollars to assist the National Negro Fair Association in the construction and erection of the necessary buildings and improvements at Prichard, in Mobile county, Alabama, and in the maintenance of a series of fairs to be conducted at said place by the National Negro Fair Association during the fall of the years 1907, 1908, 1909 and 1910.

H. N. Newsome,
President and General Manager National Negro Fair Association.

By Mr. Lyons, (with notice and proof) :

H. 975. To relieve the National Negro Fair Association from the payment of all license and privilege taxes as well as to relieve its real and personal property located in Mobile county, Alabama, from taxation for a period of five years.

Ways and Means.

Notice and Proof. H. 975.

The State of Alabama, }
Mobile County. }

Personally appeared before me, William J. Young, a notary public, in and for the above State and county, Thomas B. Allman, who being by me first duly sworn, states that the annexed publication has been regularly made once a week for four consecutive weeks in the Mobile Daily Herald, a newspaper published in the city and county of Mobile, State of Alabama, and that the copy of the notice so annexed, is the same notice that was regularly published as aforesaid in the issues of said paper on dates of May 28th, June 4th, June 11th, June 18th, 1907. Affiant further states that he is the cashier of The Herald Publishing Company, and has knowledge of the foregoing facts.

Thos. B. Allman.

Sworn to and subscribed before me this second day of
July, A. D., 1907.

William J. Young,
Notary Public, Mobile County, Alabama.

NOTICE.

Notice is hereby given that application will be made at the present session of the Legislature of Alabama, to reconvene in July, 1907, for the passage of an act relieving the National Negro Fair Association from the payment of all license and privilege taxes as well as to relieve its real and personal property from taxation for a period of five years from the passage of said act.

H. N. Newsome,
President and General Manager National Negro Fair
Association.

By Mr. Lyons, (with notice and proof):

H. 976. To prohibit the sale, giving away or otherwise disposing of beer, whiskey or other intoxicants for a period of five years within one-half mile of the fair grounds of the National Negro Fair Association, located at Prichard, in Mobile county, Alabama.

Temperance.

Notice and Proof. H. 976.

The State of Alabama, }
Mobile County. }

Personally appeared before me, William J. Young, a notary public in and for the above State and county, Thomas B. Allman, who being by me first duly sworn, states that the annexed publication has been regularly made once a week for four consecutive weeks in the Mobile Daily Herald, a newspaper published in the city and county of Mobile, State of Alabama, and that the copy of the notice so annexed, is the same notice that was regularly published as aforesaid in the issues of said paper on dates of May 28th, June 4th, June 11th, June 18th, 1907. Affiant further states that he is the cashier of The Herald Publishing Company, and has knowledge of the foregoing facts.

Thomas B. Allman.

A bill to be entitled an act to further provide for the further construction, maintenance and repair of public roads in Jackson county.

Section 1. Be it enacted by the Legislature of Alabama:

That all road funds now in the county treasury, not otherwise appropriated, and all funds hereafter collected from wagon licenses and road taxes, shall be disbursed under the orders of the court of county commissioners, for the following purposes and in the following order:

1st. Pike roads repairs—Putting in full and complete repair of all the present macadamized roads of the county and their future maintenance.

2nd. Pike road extension—Constructing additional pike roads and connecting all pikes into a continuous system.

3rd. General public road improvement.

Section 2. Be it further enacted, That the court of county commissioners be empowered and it is their duty to acquire by gift, purchase, or by condemnation proceedings under the general laws of the State, all stone quarries, chert beds, gravel beds, rights of way for hauling same and for pike or public road extension, as same shall be needed for all the purposes named in the foregoing section.

Section 3. Be it further enacted, That the putting in good repair of all existing pike roads and providing for their future maintenance shall be a first charge on the road fund of the county to be used in connection with such labor, teams and machinery as may be by law apportioned to such roads. As soon after the passage of this act as the road funds are sufficient therefor, the court of county commissioners are required to proceed to provide crushed stone at convenient places along all stone pikes, where the present supply is exhausted, of sufficient quantities to put said roads in good repair and to maintain the same for not less than five years. With the crushed stone so provided, and with gravel and chert provided for roads accessible to same, the court

of county commissioners shall proceed to put all the pikes in the county in good repair. In aid of such repairs the court may provide by such rules and regulations as it may prescribe for the use of the labor, teams, wagons and machinery, or either, apportioned to said pike road.

Section 4. Be it further enacted, That after providing for the repair and maintenance of the pike roads now in use and those in process of construction, the court of county commissioners is authorized to appropriate any portion of the road funds of the county, or of the general funds not otherwise appropriated to the purpose of pike road extension as defined in section one of this act. In the selection of locations for pike road extension from time to time the court shall have in view the ultimate connection of the pike roads into a continuous system, the importance of the proposed road to the public, and also the supplemental funds, in labor or money, contributed by persons and communities interested in such extension.

Section 5. Be it further enacted, That in prosecuting the work of pike road repair or pike road extension, the court of county commissioners shall have power to enter into all needful contracts, require bonds of contractors in such penalties, payable and conditioned as said court shall prescribe, purchase tools, machinery and supplies, employ labor, provide proper superintendence, and shall make provision for an accurate system of accounting, keeping of books, vouchers and pay-rolls, and generally to do whatever the court may deem best in the successful accomplishment of such work.

Section 6. Be it further enacted, That any surplus of the road fund after providing for pike road repair, and such pike road extension as the court may undertake, shall be applied together with any other funds available for the purpose of general public road improvement under the supervision of the court and in such manner as may be considered to accomplish the best results. All persons who may be given the custody of any portion of such funds shall be required to give bond in double the amount of money received, payable to the judge of pro-

bate of the county, conditioned to faithfully disperse said funds according to law, and shall furnish his accounts and vouchers and make settlement with the court of county commissioners as the court shall require.

Section 7. Be it further enacted, That all road hands, or persons liable to road duty in said county, shall be liable to work six days during each year. Any such road hand, when warned, may commute his time by paying to the overseer at the rate of one dollar per day in money for the time so warned, and no wagon, team, horse, mule, or oxen shall be subject to work over three days during any year.

Section 8. Be it further enacted, That the road overseers shall disburse all funds received in commutation of the labor of hands, teams, wagons and machinery in procuring labor, materials and tools necessary for the proper improvement of their respective roads. They shall between the 1st and 5th days of February and August of each year make a sworn account of all funds received and disbursed during the last six months, as well as a report of the work done on their respective roads, and deliver same to their respective apportioners. The apportioners shall two weeks before the convening of the grand jury turn in said reports with their reports to the judge of probate. Said reports shall show the names of all road defaulters, and the number of days of such default. Said reports shall be kept on file in the office of the judge of probate and submitted to the inspection of the grand jury. Any overseer or apportioner who shall willfully fail to make such report shall be guilty of a misdemeanor and on conviction shall be fined not less than ten dollars. Any overseer or apportioner who makes a willfully and corruptly false report on oath shall be guilty of perjury, and any overseer who wilfully misappropriates any funds coming to his hands for road purposes shall be guilty of embezzlement.

Section 9. Be it further enacted, That any county commissioner who wilfully neglects or refuses to perform the duties required of him under this act, or who wilfully makes or aids in making any order for the appropriation of the road funds of the county, to an ille-

gal purpose, shall be subject to impeachment and removal from office in the manner provided by law.

Section 10. Be it further enacted, That the general road law of Jackson county, entitled "An act to provide for the maintenance, improvement and protection of the public roads in Jackson county, Alabama, and to provide for the levy of a special road tax therefor," approved October 1, 1903, shall be and remain in full force and effect, except in so far as the provisions therein are in conflict with the provisions of this act.

The State of Alabama, }
County of Montgomery. }

Personally appeared before me, J. T. Cook, a notary public in and for said county, James Armstrong, who being by me first duly sworn deposes and says, that he is the publisher of The Citizen, a newspaper published in Scottsboro, Jackson county, Alabama, and that the foregoing bill was published in said newspaper for four consecutive weeks before the making of this affidavit.

James Armstrong.

Subscribed and sworn to before me, this the 9th day of July, 1907.

J. T. Cook,
Notary Public.

By Mr. Lovelady:

H. 928. To prohibit the sale of hop-jack, hop-tea, hop-weiss, hop-ale, malt tonic, or other beverages, the product of maltose or gencose at any place where the sale of spirituous, vinous or malt liquors are prohibited by law.

Temperance.

By Mr. King, (with notice and proof):

H. 929. To alter or re-arrange the boundary lines of the city of Birmingham, Alabama.

Local Legislation.

Notice and Proof. H. 929.

NOTICE.

Notice is hereby given that at the session of the Alabama Legislature, which convenes on July 9, 1907, there

will be introduced a bill for passage which will provide for altering or rearranging the boundary lines of the city of Birmingham, in Jefferson county, Alabama, in substance as follows:

To alter or rearrange the boundary lines of the city of Birmingham, in Jefferson county, Alabama, by beginning at the southwest corner of section 6, township 18, south, range 2 west, which is a point on the present boundary line of the city of Birmingham; thence northeastward along the said boundary line of the said city of Birmingham to the northeast boundary of the right of way of the Birmingham Mineral railroad; thence eastwardly along the northern boundary of the said right of way of the Birmingham Mineral railroad to the western boundary of section 34, township 17, range 2 west, thence north to the northwest corner of said section 34; thence northeastward in a straight line through a point on the east and west center line of section 12, township 17 south, range 2 west, 1980 feet west of the center of said section 12 to an intersection with the northeastern boundary line of the town of East Lake, if extended southeastward; thence northwestward along the northeastern boundary line of the town of East Lake, extended, and the northeastern boundary line of said town of East Lake to the northwest corner of the boundary line of the said town of East Lake; thence in a straight line to a point where the north and south center line of section 17, township 17 south, range 2 west crosses the north boundary line of the right of way of the Birmingham Mineral railroad company; thence westward along the north boundary of said right of way of the said Birmingham Mineral railroad company to the western boundary of the northeast quarter of the southwest quarter of section 18, township 17 south, range 2 west; thence north to the northwest corner of the northeast quarter of the southwest quarter of said section 18, township 17 south, range 2 west; thence west to the southwest corner of the southeast quarter of the northwest quarter of section 13, township 17 south, range 3 west; thence north to the northwest corner of the southeast quarter of the northwest quarter of said section 13, township 17 south, range

3 west; thence west to the southeast corner of the northeast quarter of the northeast quarter of section 15, township 17 south, range 3 west; thence south along the east line of said section 15, township 17 south, range 3 west, to the boundary line of the town of North Birmingham; thence southward and westward along the western boundary line of said North Birmingham, broken, to the center of Village creek; thence westward along the center of Village creek to a point where the eastern boundary line of Pratt City, if extended, would intersect the same; thence north along the eastern boundary line of said Pratt City to the northern boundary of the right of way of the Birmingham Mineral railroad company; thence eastward along said north boundary line of the Birmingham Mineral railroad company to the north and south center line of the northeast quarter of section 29, township 17 south, range 3 west; thence north to the southwest corner of the southeast quarter of the northeast quarter of section 20, township 17 south, range 3 west; thence west to the center of the eastern boundary line of section 24, township 17 south, range 4 west; thence southward along the eastern boundary line of said section 24 to the north line of the right of way of the Kansas City, Memphis and Birmingham railroad; thence southeastward along the north and east line of said right of way to the western boundary line of Pratt City; thence southward along the western boundary line of said Pratt City to the south line of Avenue E; thence westward along the south line of said Avenue E to the eastern boundary line of Ensley; thence southward along the eastern boundary line of said Ensley and westward along the southern boundary line of said Ensley to where the same intersects the western boundary line of the southeast quarter of the southwest quarter of section 6, township 18 south, range 3 west; thence to the southwest corner of the southeast quarter of the southwest quarter of said section 6, township 18 south, range 3 west, thence west to the northwest corner of the northeast quarter of section 12, township 18, south, range 4 west; thence south to the center of the south line of said section 12, township 18 south, range 4 west,

thence east along the south boundary line of section 12, township 18 south, range 4 west, and the south boundary line of sections 7, 8, 9, 10 and 11, township 18 south, range 3 west, to an intersection with the north boundary of the right of way of the Birmingham Mineral railroad company; thence eastward along the north line of the said right of way to an intersection with the south boundary line of section 1, township 18 south, range 3 west; thence east along the south line of said section 1, township 18 south, range 3 west, to the point of beginning. And to provide that this act shall not go into effect until October 1, 1909.

The State of Alabama, }
Jefferson County. }

Personally appeared before me, the undersigned authority, a notary public in and for said county in said State, W. H. Jeffries who, being by me duly and legally sworn on oath says that he is advertising manager of the Age-Herald Publishing Company, the publisher of the Birmingham Age-Herald, a newspaper published in the city of Birmingham, which is a daily newspaper, that the notice, a copy of which is hereto attached, was inserted in said Birmingham Age-Herald and published consecutively once a week for four weeks.

W. H. Jeffries.

Sworn to and subscribed before me this 8th day of July, 1907.

Chas. L. Leper,
Notary Public.

By Mr. King;

H. 930. To regulate the administration of the affairs of any municipal corporation which has been absorbed, or its government extinguished by the alteration or re-arrangement of the boundary lines of another city or town.

Judiciary.

By Mr. King;

H. 931. To regulate cities that alter or re-arrange their boundary lines so as to absorb one or more cities

or towns, or extinguish the government of one or more cities or towns.

Judiciary.

By Mr. Glover, (with notice and proof) :

H. 932. To vacate and annul as a public street or highway that part of Seventh or Twenty-third street in the town of North Birmingham, Alabama, which lies northwestwardly of the northern line of Avenue A or Thirty-sixth avenue and southwestwardly of the southern line of Avenue B or Thirty-seventh avenue, and to extinguish and annul the dedication thereof.

Local Legislation.

Notice and Proof. H. 932.

NOTICE.

Notice is hereby given that at the session of the Legislature of Alabama, which convenes on July 9, 1907, there will be introduced for passage a bill which will be in substance as follows:

Be it enacted by the Legislature of Alabama, That that part of Seventh or Twenty-third street, in the town of North Birmingham, Alabama, which lies northwestwardly of the northern line of Avenue A or Twenty-sixth avenue, and southwestwardly of the southern line of Avenue B or Thirty-seventh avenue, be and the same is hereby annulled, vacated and abolished as a street or public highway, and the same shall forever cease to be a public street or highway, and the dedication of the same as such is hereby extinguished and annulled.

The State of Alabama, }
Jefferson County. }

Before me, C. B. Smith, a notary public, in and for said county in said State, personally appeared Edgar W. Jones, who being by me first duly sworn, deposes and says that he is the editor and publisher of the Jones Valley Times, a weekly newspaper published in Birmingham, Jefferson county, Alabama, and that the fore-

going notice hereto attached has been published in said Jones Valley Times once a week for four consecutive weeks prior to the making of this affidavit.

Edgar W. Jones.

Sworn to and subscribed before me this 5th day of July, 1907.

C. B. Smith,
Notary Public.

By Mr. Glover, (with notice and proof) :

H. 933. To vacate and annul as public streets or highways that portion of First street in the town of North Birmingham, Alabama, beginning fifty feet south of Seventh alley, and running thence south to the Southern Railway right-of-way, and that portion of Second street in the town of North Birmingham, Alabama, running from the south line of Seventh alley, south to the north line of Eighth alley, both according to the map of the North Birmingham Land Company; and to annul and extinguish the dedication thereof.

Local Legislation.

Notice and Proof. H. 933.

NOTICE.

Notice is hereby given that at the session of the legislature of Alabama, which reconvenes on July 9, 1907, there will be introduced for passage a bill which will be in substance as follows:

Be it enacted by the legislature of Alabama, That that part of First street, in the town of North Birmingham, Alabama, beginning fifty (50) feet south of Seventh alley, and running thence south to the Southern railway right of way, and that part of Second street, in the town of North Birmingham, Alabama, running from the south line of Seventh alley, south to the north line of Eighth alley, as shown on the map of the North Birmingham Land Company, being in Jefferson county, Alabama, be and the same are hereby annulled, vacated and abolished as streets or public highways, and the

same shall forever cease to be public streets or highways and the dedication of the same as such is hereby extinguished and annulled.

The State of Alabama, }
Jefferson County. }

Before me, C. B. Smith, a notary public in and for said county in said State, personally appeared Edgar W. Jones, who being by me first duly sworn, deposes and says that he is the editor and publisher of the Jones Valley Times, a weekly newspaper published in Birmingham, Jefferson county, Alabama, and that the foregoing notice hereto attached has been published in said Jones Valley Times once a week for four consecutive weeks prior to the making of this affidavit.

Edgar W. Jones.

Sworn to and subscribed before me this 5th day of July, 1907.

C. B. Smith, Notary Public.

By Mr. Glover, (with notice and proof) :

H. 934. To repeal an act entitled "an act to provide for the establishing of the separate school districts to be known as the North Birmingham district in Jefferson county, Alabama, and to provide for the selection of a board of trustees for said school district with certain duties and powers," approved March 4th, 1901.

Education.

Notice and proof H. 934.

NOTICE.

Notice is hereby given that at the session of the legislature of Alabama, which reconvenes on July 9, 1907, there will be introduced for passage a bill which will be in substance as follows:

Be it enacted by the legislature of Alabama, That an act entitled "an act to provide for the establishing of a separate school district to be known as the North Birmingham district in Jefferson county, Alabama, and

to provide for the selection of a board of trustees for said school district with certain duties and powers," approved March 4, 1901, be and the same is hereby repealed.

The State of Alabama, }
Jefferson County. }

Before me, C. B. Smith, a notary public in and for said county in said State, personally appeared Edgar W. Jones, who being by me first duly sworn, deposes and says that he is the editor and publisher of the Jones Valley Times, a weekly newspaper published in Birmingham, Jefferson county, Alabama, and that the foregoing notice hereto attached has been published in said Jones Valley Times once a week for four consecutive weeks prior to the making of this affidavit.

Edgar W. Jones.

Sworn to and subscribed before me this 5th day of July, 1907.

C. B. Smith, Notary Public.

By Mr. Glover, (with notice and proof) :

H. 935. To amend section twenty-two of an act entitled, "an act to establish the city court of Bessemer."

Judiciary.

Notice and proof H. 935.

NOTICE.

Notice is hereby given that the following bill will be introduced at the present session of the legislature of Alabama :

To amend section 22 of an act entitled, "an act to establish the city court of Bessemer" for the purpose of increasing the salary of judge of said court from \$1,800.00 per annum to an amount not to exceed \$4,000 per annum to be paid from the treasury of Jefferson county, Alabama, or as the judges of the city court of Birmingham or the judges of any court that may be established in lieu of the city court of Birmingham are paid.

This Dec. 28th, 1906.

The State of Alabama, }
 Jefferson County. }

Personally appeared before me Pinkney Scott, notary public in and for said county and State aforesaid, Wm. H. H. Judson, who being duly sworn deposeth and says that he is the editor and publisher of the newspaper known as The Bessemer (Alabama) Weekly, which newspaper is published in the city of Bessemer, Jefferson county, Alabama, and that prior to making this affidavit the hereto attached notice was published in said newspaper without cost to the State once each week for four full and consecutive weeks, making said notice receive four full consecutive weeks prior to making this affidavit and which notice gave notice of an intention to apply for an amendment of section 22 of the act creating the city court of Bessemer and to raise the salary of the judge of said city court of Bessemer.

Wm. H. H. Judson.

Sworn to and subscribed before me this the 7th day of March, 1907.

Pinkney Scott, Notary Public.

By Mr. Ragsdale:

H. 936. To propose an amendment to the constitution of the State of Alabama for the purpose of providing for the formation and establishing of new counties out of portions of one, two or more counties as may be desired.

Judiciary.

By Mr. Ragsdale:

H. 937. To amend section 5 of an act entitled an act "to establish a home for indigent confederate veterans residing in the State of Alabama, who are unable to make a livelihood on account of physical disability or old age, and make appropriations for improving and maintaining the same," approved October 6th, 1903.

Appropriations.

By Mr. Ragsdale, (with notice and proof):

H. 938. To alter or re-arrange the boundary lines of the city of Bessemer, Jefferson county, Alabama.

Local Legislation.

Notice and proof H. 938.

The State of Alabama, }
 Jefferson County. }

Personally appeared before me, the undersigned authority, A. K. Williamson, who being by me duly sworn, deposes and says on oath that he is the president and manager of the Workman Publishing Co.; that the Bessemer Workman is a newspaper published in the city of Bessemer, Jefferson county, Alabama, by said company; and affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four (4) consecutive weeks in the said Bessemer Workman, beginning on the 14th day of June, 1907, and published each week thereafter to and including the 5th day of July, 1907.

A. K. Williamson,
 President and Manager.

Subscribed and sworn to before me on this the 5th day of July, 1907.

Ben Y. Perry, Notary Public.

A BILL

To be entitled an act to alter or re-arrange the boundary lines of the city of Bessemer, Jefferson County, Ala.

Be it enacted by the legislature of Alabama:

Section 1. That the boundary lines of the city of Bessemer, Ala., be altered or re-arranged so as to include the following described territory, to-wit:

Beginning at half (1-2) section corner on section line between sections 19 and 20 township 19 south range 4 west, running thence north along said section line to Valley Creek, running thence along and with the meanderings of Valley Creek in a northerly and easterly direction to macadamized road between Bessemer and Birmingham intersecting the macadamized road near Robertstown furnace, thence along said macadamized road in north easterly direction with and of the 1-4 section line between the N. E. 1-4 and the N. W. 1-4 of the

S. E. 1-4 of section 33 township 18 south, range 4 west, thence along the said 1-4 section line in a northerly direction to its intersection with section line running east and west between sections 33 and 28, township 18, south, range 4 west, thence in an easterly direction along said section line between section 33 and 28, and 34, 27, to section corner of sections 26, 27, 34 and 35, thence south along said line between 34 and 35, to 1-2 section corner thence east along 1-2 section line to 1-2 section corner on section line running north and south between sections 35 and 36, thence south along section line to corner of sections 36 and 35 township 18 south range 4 west and sections 1 and 2, township 19 range 4 west, thence in a westerly direction along section and township line to 1-4 section corner on section line between sections 2 and 35, thence in a southerly direction along 1-4 section line to its intersection with Holbrook avenue of the city of Bessemer if extended, thence in a southwesterly direction along Holbrook avenue and extension of Holbrook avenue to 1-2 section line running east and west through section 21, township 19 south, range 4 west, thence in a westerly direction along 1-2 section line to point of beginning, all territory described being in township 18 and 19, south, range 4 west.

Sec. 2. Whenever the board of mayor and aldermen of the city of Bessemer shall adopt a resolution calling for an election of the qualified voters residing in the above described territory not now being included and part of the territory of the city of Bessemer; it shall be the duty of the mayor of the city of Bessemer to certify a copy of such resolution to the probate judge of Jefferson county, Alabama. It shall be the duty of the judge of probate within ten days from the filing of such certified copy of such resolution, to make and enter an order upon the minutes of said court, directing and ordering an election to be held by the qualified voters residing in the above described territory, all incorporated towns embraced in the above territory shall each be a separate and distinct voting place, and unless a majority of the qualified electors voting at such an election shall vote

for annexation to the city of Bessemer such town shall not be annexed or become a part of the city of Bessemer.

All of the above described territory not being embraced in or a part of an incorporated town or city shall be bound as to annexation by the vote of a majority of the qualified electors residing therein and voting.

The probate judge of Jefferson county, Alabama, shall give notice of the holding such an election, by publication in at least one newspaper published in the above described territory for not less than (20) twenty or more than (40) forty days, which notice shall state the day on which such an election is to be held, the voting place or places, and shall appoint three inspectors for each voting place and a returning officer.

Sec. 3. Each voter may furnish his own ballot, with the following words written or printed thereon: "For Annexation" if he desires to vote in favor of annexing said territory to the city, or "Against Annexation" if he desires to vote against annexing the territory to the city; it shall not be necessary for the ballot to be of any particular size, color or form, it shall be the duty of the judge of probate to canvass the returns as made by the inspectors, and if it appears that a majority of the votes cast at the election held were in favor of "For Annexation" the judge shall make and enter an order on the records of the probate court adjudging and decreeing the corporate limits of the city of Bessemer is extended, altered or re-arranged so as to include and embrace the territory above described.

If it appears that a majority of the votes cast at the election are "Against Annexation," the judge of probate shall make and enter an order on the records of the court, adjudging and decreeing that a majority of the votes at such an election were cast against annexation to the city of Bessemer and that the above described territory shall not form a part or be embraced in the city of Bessemer, Ala.

The election herein provided for shall be governed by the laws regulating elections except as may be herein otherwise provided, the result of said election may be contested by any qualified elector voting at the election,

under the same provisions as are governed by general laws for contesting the election of justices of the peace, making the city of Bessemer the contestee.

Sec. 4. All territory brought within the corporate limits of the city of Bessemer, under the provisions of this act, shall be subject to the laws and ordinances of said city, and the mayor and board of aldermen shall have and exercise the same jurisdiction over such territory as over the corporate limits of the city of Bessemer.

Sec. 5. The probate judge shall be entitled to the same fees for his services performed under the provisions hereof as he is authorized by law to charge and collect for similar services rendered by him, and the city of Bessemer shall pay all expenses and cost thereof, except in cases of a contest as herein provided.

Sec. 6. After an election has been held in the territory above described under the provisions of this act, no other or subsequent election shall be ordered or held for the same territory or any part thereof within six months next after such election.

By Mr. John:

H. 939. To adopt a code of laws for the State of Alabama.

Judiciary.

By Mr. John:

H. 940. To provide for the publication and distribution of the code of Alabama and the acts of the legislature.

Judiciary.

By Mr. John:

H. 941. To provide for and regulate the selection, drawing and empanelling of grand and petit juries in all the courts in this State.

Judiciary.

By Mr. John:

H. 942. To propose amendments to section 194 of the constitution.

Judiciary.

By Mr. John :

H. 943. To further amend the revenue laws of the State of Alabama.

Ways and Means.

By Mr. John :

H. 944. To amend section 3866 of the code of Alabama.

Judiciary.

By Mr. John :

H. 945. To create and establish a reform school for the training of colored boys.

Education.

By Mr. McCrory, (with notice and proof) :

H. 946. To fix the compensation to be allowed the sheriff and clerk of the circuit court of Conecuh county, Alabama, for all official duties for the compensation of which no express provision is made by law.

Local Legislation.

Notice and proof H. 946.

NOTICE.

Notice is hereby given that a special bill will be introduced at the present session of the Legislature of Alabama, which re-convenes in Montgomery July 8th, 1907, for the passage and enactment of a special law for Conecuh county, Alabama, to regulate the fees for services commonly known as ex-officio fees for the sheriff and clerk of the circuit court of Conecuh county, and providing that the compensation of the sheriff for such services shall not exceed five hundred dollars, and that the compensation of the clerk for such services shall not exceed four hundred dollars.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, judge of probate, in and for the county and State aforesaid, personally appeared Geo. W. Salter, Jr., who on oath doth say that he is the

editor and publisher of the Evergreen Courant, a newspaper published weekly in the town of Evergreen, county of Conecuh, State of Alabama, and that the foregoing notice has been published every week for four consecutive weeks in the said newspaper prior to this date in the year 1907.

George W. Salter, Jr.

Sworn to and subscribed before me this the 8th day of July, 1907.

F. J. Dean, Judge of Probate.

By Mr. McCrory, (with notice and proof):

H. 947. To regulate the fees of the sheriff for services in the county court of Conecuh county, Alabama.
Local Legislation.

Notice and proof H. 947.

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned term of the Legislature of Alabama, providing that the sheriff and clerk of the circuit court of Conecuh county, shall be paid for the execution of papers in the county court, the same fees as are allowed for the same services in the circuit court of said county.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, judge of probate, in and for said State and county, personally appeared George Salter, Jr., who on oath doth say that he is editor and publisher of the Evergreen Courant, a newspaper published weekly in the town of Evergreen, county of Conecuh State of Alabama, and that the foregoing notice has been published every week for four consecutive weeks in said newspaper prior to this date and in the year 1907.

George W. Salter, Jr.

Sworn to and subscribed before me, this the 8th day of July, 1907.

F. J. Dean,
Judge of Probate.

By Mr. McCrory, (with notice and proof) :

H. 948. To provide for the payment of State witnesses in criminal cases in Conecuh county, Alabama.

Local Legislation.

Notice and proof H. 948.

NOTICE.

Notice is hereby given of the intention to apply to the legislature of Alabama for the passage and enactment of a special law providing for the payment of State witnesses in criminal cases in Conecuh county, Alabama.

F. J. Dean.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, judge of probate, in and for said State and county, personally appeared George W. Salter, Jr., who on oath doth say that he is editor and publisher of the Evergreen Courant, a newspaper published weekly in the town of Evergreen, county of Conecuh, State of Alabama, and the foregoing notice has been published every week for four consecutive weeks in said newspaper prior to this date and in the year 1907.

George W. Salter, Jr.

Sworn to and subscribed before me, this the 8th day of July, 1907.

F. J. Dean, Judge of Probate.

By Mr. Lee, of Etowah:

H. 949. To create a text book commission and to procure for use in the public schools in this State a uniform series of text books; to define the duties and powers of said commission and to make an appropriation for carrying into effect this act.

Education.

By Mr. Haley, (with notice and proof) :

H. 950. To vacate and annul Stollenwerck Avenue as shown on map of Village Creek Land Company survey in Jefferson county, Alabama, as a public street or highway, and to annul and extinguish the dedication thereof.

Local Legislation.

Notice and proof H. 950.

The State of Alabama, }
Jefferson County. }

Before me, L. J. Haley, Jr., a notary public in and for said State and county, personally appeared J. H. F. Moseley, who being duly sworn says that he is manager of the Labor Advocate, a newspaper published weekly at Birmingham, Alabama, and that the notice hereto attached was printed for four consecutive weeks in said newspaper as follows: on June 14, June 21, June 28, and July 5th, 1907.

J. H. F. Mosley.

Sworn to and subscribed before me this 8th day of July, 1907.

L. J. Haley, Jr., Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the Legislature of Alabama, 1907, to vacate, annul and extinguish the dedication of Stollenwerck avenue as a public street or avenue, as the same is shown on a map of the Village Creek Land Company, recorded in map book two, page one, in the office of the probate judge of Jefferson county, Alabama.

By Mr. Haley, (with notice and proof) :

H. 951. To vacate and annul Fifth street between Second and Third avenues; Third avenue between Fourth and Sixth streets; the alley extending north and south in block eleven, and the alley running east and

west in block eleven in the Pratt Land & Improvement Company's survey of East Thomas, Jefferson county, Alabama.

Local Legislation:

Notice and proof H. 951.

The State of Alabama, }
Jefferson County. }

Before me the undersigned authority, personally appeared Edgar W. Jones, editor of the Jones Valley Times, a weekly newspaper published in Birmingham, Jefferson county, Alabama, who being duly sworn on oath says, that the attached notice was published in the Jones Valley Times, four consecutive weeks, being contained in the issues of December 20th, 1906, December 27th, 1906, January 3rd, 1907, January 10th, 1907, and January 17, 1907.

E. W. Jones.

Subscribed and sworn to before me this 8th day of July, 1907.

L. J. Haley, Jr., Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced in the next legislature of Alabama, to vacate and annul and to annul and extinguish the dedication of the following streets, avenues and alleys, in the Pratt Land and Improvement Company survey of East Thomas, in Jefferson county, Alabama, a map of which survey is recorded in the office of the probate judge of said county, in map book 4, on page 53, viz: Fifth street between Second and Third avenues, Sixth street between Second and Third avenues, Third avenue, between Fourth and Fifth streets, the alley running north and south in block 11, and the alley running east and west in said block 11, of said survey, and also that part of the alley running north and south in block 7, south of the Birmingham Southern Railroad, and that part of the alley running east and west in block 7, west of the Birmingham Southern Railroad in said survey.

By Mr. Haley, (with notice and proof) :

H. 952. To altar and rearrange the boundary lines and corporate limits of the town of Elyton, Jefferson county, Alabama.

Local Legislation.

Notice and proof H. 952.

The State of Alabama, }
Jefferson County. }

Personally appeared before me, Frank W. Smith, a notary public in and for said county and State, J. H. F. Mosley, who being by me first duly sworn, on oath says, that he is manager and editor of the "Labor Advocate." That the said "Labor Advocate" is a newspaper published in Birmingham, Jefferson county, Alabama, and that the town of Elyton and the territory embraced in the notice hereto attached, is situated in Jefferson county, Alabama. That the notice hereto attached and marked "Exhibit A" was published in the said "Labor Advocate" once a week, in the following issues of said paper, to-wit: June 14, 21, 28, and July the 5, all in 1907.

J. H. F. Mosley.

Sworn to and subscribed before me this the 8th day of July, 1907.

Frank W. Smith, Notary Public.

LEGAL NOTICE.

"EXHIBIT A."

Notice is hereby given of the intention to introduce at the present session of the legislature of Alabama on reconvening in July, and seek to have enacted into law, a bill, the substance of which will be to alter and rearrange the boundaries of the town of Elyton, so as to embrace and include the following territory, to-wit:

All that certain territory in Jefferson county, Alabama, bounded as follows: On the east by the east line of section 11, township 18, range 3 west, and the city of Birmingham, on the north by the city of Birmingham

and the town of Graymont, on the west by the town of West End, and on the south by the center line of the south half of sections 9, 10 and 11, township 18, range 3 west, running east and west.

F. W. Smith, Intendent.

By Mr. Haley:

H. 953. To provide how the salaries of circuit judges whose salaries are partly paid by the counties in which said judges hold court, shall be paid.

Judiciary.

By Mr. Haley, (with notice and proof):

H. 954. To amend an "act to establish an inferior court in precincts 21 and 37, in Jefferson county, Alabama, in lieu of all justices of the Peace and notaries public with powers of justice of the peace in said precincts and to define the jurisdiction and powers of said courts and the judges thereof" by providing two clerks and deputy clerks for said court, and the payment of the expenses of said court by Jefferson county, Alabama."

Revision of Laws.

Notice and proof H. 954.

The State of Alabama, }
Jefferson County. }

Before me, L. J. Haley, Jr., a notary public in and for said State and county, personally appeared J. H. F. Mosley, who being duly sworn says that he is manager of the Labor Advocate, a newspaper published weekly at Birmingham, Alabama, and that the notice hereto attached was printed for four consecutive weeks in said newspaper as follows; on June 14th, June 21, June 28, and on July 5th, 1907.

The said notice is the substance of a bill to be introduced in the legislature of Alabama to amend an act to establish an inferior court in precincts 21 and 37, in said county.

J. H. F. Mosley.

Sworn to and subscribed before me this 8th day of July, 1907.

L. J. Haley, Jr., Notary Public.

NOTICE.

Notice is hereby given, that there will be introduced at the adjourned session of the Legislature of Alabama, which meets on July 9, 1907, a bill to amend the act to establish an inferior court in precincts 21 and 37 in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precincts and to define the jurisdiction and powers of said courts and the judges thereof, approved September 29, 1903; the substance of which amendment will be: First, to require the board of revenue of Jefferson county, to furnish blanks, papers and pay all expenses of said court.

Second. To provide for a clerk for each division of said court and to fix the salaries and duties of said clerks.

Third. To provide for deputy clerks for said court, and to fix their compensation.

Fourth. To increase the salaries of the judges of said court.

By Mr. Haley, (with notice and proof):

H. 955. To amend an act entitled "an act to regulate the city court of Birmingham in the practice and procedure in said court; to provide judges thereof, their election, term of office, removal, power and salary; for the election, term of office, bond, removal, and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery, and other supplies for the holding of said court," approved February 26th, 1907.

Judiciary.

Notice and proof: H. 955.

NOTICE.

Notice is hereby given that at the adjourned session of the legislature of Alabama, which will convene in July, 1907, a bill in substance as follows will be introduced for passage.

A bill to be entitled an act to amend an act entitled "An act to regulate the city court of Birmingham, in the practice and procedure in said court; to provide for judges thereof, their election, term of office, removal, power and salary; for the election term of office, bond, removal, and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery and other supplies for the holding of said court," approved February 26, 1907.

Section 1. Be it enacted by the legislature of Alabama, That section 3 of an act entitled "an act to further regulate the city court of Birmingham, Alabama, in the practice and procedure in said court; to provide judges thereof, their election, term of office, removal, power and salary; for the election, term of office, bond, removal and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery and other supplies for the holding of said court," approved February 26th, 1907, be and the same is hereby amended so that the said section 3 shall read as follows:

Section 3. At the general election to be held in this State in the year 1910, and every six years thereafter the clerk and register of said city court of Birmingham shall be elected by the qualified electors of the county of Jefferson, whose term of office shall be for six years and until his successor is elected and qualified. Such clerk and register may be removed from office for such causes and in such manner, as is or may hereafter be provided by law for the removal of clerks of the circuit court, or for any cause which, in the opinion of said judges or a majority of them, may be sufficient for his removal; in the case of his removal, the cause thereof must be specified in the order removing him. Before entering upon the discharge of the duties pertaining to his office, such clerk and register shall give bond with sureties, to be approved by the judge of probate, in a sum of not less than twenty thousand dollars, to be fixed by said judges, which bond must be made payable and be conditioned;

filed and recorded as required by law as in case of bond of the clerks of the circuit court. Such clerk and register shall have all the powers and perform all the duties which may be now or may hereafter be lawfully exercised or performed by the clerk of the circuit courts and the registers in chancery in this State, including the power to issue attachments and all other extraordinary process. The fees of such clerk and register shall be the same as those now allowed, or which may hereafter be allowed, by law in like cases and for like services to clerks of the circuit courts and registers in chancery in this State; and he and the sureties on his official bond shall be subject, where he is acting as clerk on the law side of said court, to the same liabilities and penalties as the clerks of the circuit courts and their sureties are now or may hereafter be subject by law; and when acting as register on the equity side of said court, he and his sureties shall be subject to the same liabilities and penalties as registers in chancery and their sureties are now or may hereafter be subject by law; such liabilities and penalties to be enforced by the same remedies and in the same manner as the like liabilities and penalties of and against clerks of the circuit courts and registers in chancery in this State are now or may hereafter be by law enforced. Such clerk and register shall reside during his continuance in office in the county of Jefferson.

The clerk and register of said city court of Birmingham may, upon the approval of this act, and from time to time as a vacancy may occur, and for whose official acts he shall be responsible, appoint a special deputy clerk and register of said court, who shall have all the powers and perform concurrently with the clerk and register of said city court of Birmingham all the duties now lawfully exercised by said clerk and register of said court in matters pertaining to chancery, which powers shall be exercised and duties performed in term time or vacation, except such deputies shall have none of the powers and shall perform none of the duties of register in chancery in regard to receiving and paying out moneys or approving bonds. The compensation of such deputy shall be fixed and paid by the clerk and register

of said court. The clerk and register of said court shall be entitled to the same fees as he is allowed or may hereafter be allowed by law in like cases and for like services to register in chancery for all duties performed by such deputy clerk and register. Said deputy clerk and register shall be subject to removal at any time by the clerk and register of said city court of Birmingham for or without cause.

From and after the passage of this act, the clerk and register and the deputy clerk and register of said court shall have power to exercise and perform all the duties and functions conferred upon them by law, and on any day in term time or vacation either of them shall have the power to grant and enter decrees pro confesso and any and all other degrees and orders which either of them may by law grant or enter.

The State of Alabama, }
Jefferson County. }

Before me, Paul A. Savage, deputy clerk and register of the city court of Birmingham, in and for said State and county, personally appeared A. J. O'Keefe, who being duly sworn, deposes and says that he is the editor of the Birmingham Republican, a newspaper of general circulation published in the city of Birmingham, Jefferson county, Alabama, and the notice, a copy of which is hereto attached, was published once a week for four consecutive weeks in the Birmingham Republican.

A. J. O'Keefe.

Sworn to and subscribed before me this the 6th day of July, 1907.

Paul A. Savage,
Deputy Clerk and Register.

By Mr. Haley, (with notice and proof):

H. 956. To provide for the appointment by the judges of the city court of Birmingham, of the necessary bailiffs for said court and to fix the duties, powers, liabilities and compensations of said bailiffs and to provide for the payment of their compensation.

Judiciary.

Notice and Proof. H. 956.

NOTICE.

Notice is hereby given that at the meeting of the adjourned session of the Legislature of Alabama, July, 1907, a bill in substance as follows, will be introduced for passage:

Section 1. Be it enacted by the General Assembly of Alabama, That the judges of the city court of Birmingham be and they are authorized, empowered and required to appoint the necessary bailiffs for said court, not more than six in number who shall attend the sessions of said court constantly while said court is in session and shall do and perform such duties connected with said court as may be directed by the judges thereof and whose compensation shall be \$60.00 per month for each month they are in constant service and actual attendance upon the sessions of said court and which shall be paid by the county treasurer of Jefferson county out of any funds in the treasury of said county not otherwise appropriated on the first day of each month upon the certificate of the clerk of said court that said bailiffs have for the month past been in actual and constant attendance and service upon the sessions of said court. Each bailiff shall be appointed for not more than one term of said court, and shall be subject to removal at any time by judges thereof.

Section 2. Said bailiffs shall have while in attendance on said court and executing the orders and the directions of the judges of said court, all the power and authority now possessed and exercised by deputy sheriffs when attending said court and executing the orders of said judges and shall be accountable on the bonds hereinafter required to be given by them in same manner as the sheriff now is accountable for the acts and omissions of deputy sheriffs attending said court.

Section 3. Each of said bailiffs before entering upon the duties of his office must take the oath of office required by the constitution and laws of Alabama for executive officers and must each give bond with surety in

an amount to be fixed by the judges of said court payable and conditioned as prescribed in section 3070 of the Code of 1896, which bonds must be approved by the judge of probate of Jefferson county and recorded and filed in his office.

Section 4. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

The State of Alabama, }
Jefferson County. }

Personally appeared before me, J. W. Hargrove, a notary public in and for said State and county, F. K. Gamble, who deposes and says that he is assistant business manager of the Alabama Christian Advocate, a newspaper published in the city of Birmingham, in said State and county, and that he is authorized to make this affidavit, he further certifies that the notice hereto attached was published for four consecutive weeks in said paper beginning on June 6th, 1907, and ending on June 27th, 1907, and that said notice which is hereto attached is a true and correct copy of the notice which appeared in said paper and that the same was published without costs to the State of Alabama.

F. K. Gamble,
Assistant Business Manager.

Sworn to and subscribed before me this the 6th day of July, A. D., 1907.

J. W. Hargrove,
Notary Public.

By Mr. Hughston:

H. 957. To amend section 4803 of the Code of 1896.
Revision of Laws.

By Mr. Hughston:

H. 958. To appropriate from the State treasury the sum of ten thousand dollars for the purpose of erecting a monument to the women of the confederate States of America, and to provide for the expenditure of said fund and the erection of said monument.

Appropriations.

By Mr. Sherrod, (with notice and proof) :

H. 959. To prevent the shipment, transportation or delivery of spirituous, vinous or malt liquors or intoxicating bitters or beverages from any point in the State of Alabama, to any person, firm or corporation in Lawrence county, Alabama.

Temperance.

Notice and Proof. H. 959.

The State of Alabama, }
Lawrence County. }

Before me, J. C. Kumpe, judge of probate, in and for said State and county, personally appeared Jourd White, known to me to be one of the publishers of The Moulton Adevertiser, a newspaper published at Moulton, in said county, in said State, and he being first duly sworn doth state on oath that he is one of the publishers of said newspaper and that same has been regularly published and issued in weekly editions, in said county, for more than twelve months last past, and that the notice hereto attached, marked "Exhibit A", referring to a proposed bill for Lawrence county, was published, without cost to the State, once a week for four consecutive weeks before the making of this affidavit, in the issues of, to-wit:

Jourd White.

Sworn to and subscribed before me on this the 28 day of May, 1907.

J. C. Kumpe,
Judge of Probate.

(Exhibit A.)

NOTICE.

A bill to be entitled an act to prevent the shipment, transportation or delivery of spirituous, vinous or malt liquors or intoxicating bitters or beverages, from any point in the State of Alabama, to any person, firm or corporation in Lawrence county, Alabama:

Section 1. Be it enacted by the Legislature of Alabama, That it shall be unlawful for any person, firm or

corporation to accept for shipment, transportation or delivery from any point in the State of Alabama, any spirituous, vinous or malt liquors or intoxicating bitters or beverages, consigned to any person, firm or corporation in Lawrence county, Alabama.

Section 2. That it shall be unlawful for any person, firm or corporation to deliver any spirituous, vinous or malt liquors or intoxicating bitters or beverages, to any person, firm or corporation in Lawrence county, Alabama, except as may be authorized by the interstate laws of the United States.

Section 3. That any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction, shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars and the fine herein provided for shall be payable in lawful money of the United States only.

Section 4. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, be and the same are hereby expressly repealed.

By Mr. Smith, of Lee:

H. 960. To amend section 1 of an act entitled an act "To aid and encourage technical education in the State of Alabama and the providing for the erection and equipment of buildings and increased facilities at the Alabama Polytechnic Institute," approved March 2, 1907.

Education.

By Mr. Smith, of Lee:

H. 961. To amend section 3622, article 9, of the Code of Alabama.

Education.

By Mr. Smith, of Lee:

H. 962. To amend section 8 of an act entitled "To provide for the redistricting of the public schools of the State and for the management and control of same," approved Sept. 30, 1903.

Education.

By Mr. Smith, of Lee, (with notice and proof):

H. 963. To authorize the Lee county court of law and equity to revive and enforce judgments, decrees, orders and proceedings entered prior to July 1st, 1907, in the circuit, chancery and county courts of Lee county.

Revision of Laws.

Notice and Proof. H. 963.

The State of Alabama, }
Lee County. }

Before me, Joe H. Smith, a notary public in and for said county and State, personally appeared W. T. Wear, who being duly sworn, deposes and says that he is one of the editors of the Opelika Daily News, a daily newspaper published in Opelika, in said county, and that the following notice, to-wit:

NOTICE.

To whom it may concern:

Notice is hereby given that a bill will be introduced and its enactment promoted by all proper means at the present Legislature of Alabama, after its reassembling after the present recess, the substance of which bill is to authorize the Lee county court of law and equity to revive all judgments, decrees, orders and proceedings entered prior to July 1st, 1907, in the circuit court of Lee county, Alabama, the chancery court of Lee county, Alabama, and the county court of Lee county, Alabama, and to authorize and empower said Lee county court of law and equity to issue such writs of execution or other writs as may be necessary to give full force and effect to such judgments, decrees, orders and proceedings.

Albert E. Barnett,
R. C. Smith.

Was published in said paper for four consecutive weeks, to-wit: in issue of June 8th, 1907, June 15th, 1907, June 22nd, 1907, and June 29th, 1907.

W. T. Wear.

Subscribed and sworn to before me this 3rd day of
July, 1907.

Joe H. Smith,
Notary Public, Lee County, Alabama.

By Mr. Smith, of Lee, (with notice and proof):

H. 964. To amend sections 5 and 15 of an act entitled "An act to establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, provide for fees, commissions, fines, forfeitures and juries in said court; provide for supplies for said court, and repeal conflicting laws," approved the 5th day of March, 1907.

Revision of Laws.

Notice and Proof. H. 964.

The State of Alabama, }
Lee County. }

Before me, Joe H. Smith, a notary public in and for said county and State, personally appeared W. T. Wear, who being duly sworn, deposes and says that he is one of the editors of the Opelika Daily News, a daily newspaper published in Opelika, in said county, and that the following notice, to-wit:

NOTICE.

Notice is hereby given that, in the Legislature of Alabama, upon its reassembling after the present recess, a bill will be introduced and its enactment promoted by all proper means, the substance of which bill is to so amend an act entitled "An act to establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, and provide for fees, commissions, fines, forfeiture and juries in said court, pro-

vide for supplies for said court, and repeal conflicting laws," approved March 5, 1907, so as to authorize and empower the judge of said court, by orders entered on the minutes, to fix the time and manner of holding the sessions of said court, to designate separate weeks for the settling of pleadings in civil cases and for the trial, respectively, of equity cases, of civil cases at law in which jury has been waived, of civil cases at law in which jury has been demanded, and of criminal or quasi criminal cases, to prescribe the particular weeks of the term to which the clerk and register of said court shall summon petit jurors; and to authorize the court to take, during its regular terms, such temporary recesses as shall be deemed proper and expedient.

Albert E. Barnett,
R. C. Smith.

Was published in said paper for four consecutive weeks, to-wit: in issue of June 8th, 1907, June 15th, 1907, June 22nd, 1907, and June 29th, 1907.

W. T. Wear.

Subscribed and sworn to before me this 3rd day of July 1907.

Joe H. Smith,

Notary Public, Lee County, Alabama.

By Mr. Kirby:

H. 965. To fix the times and place of holding the chancery court in the eighth district of the northern division, composed of the county of Madison.

Judiciary.

By Mr. Kirby, (with notice and proof):

H. 966. To amend section 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26th, 1907.

Judiciary.

Notice and proof H. 966.

The State of Alabama, }
 Madison County. }

Before me, W. F. Esslinger, a notary public in and for said State and county this day personally appears Susanna W. Clay, who being duly sworn, says that the following notice of intention to apply for amendments to local law, to-wit:

NOTICE OF INTENTION TO APPLY FOR AMENDMENTS TO
 LOCAL LAW.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, at its present session, to be entitled an act to amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act to establish a law and equity court for Madison county, approved February 26th, 1907.

The changes made by the amendments to said sections in the sections as they appear in the act are substantially as follows:

Section 7 is amended so as to change the terms of the court from the second Monday in January to the first Monday in March, and from the third Monday in September to the first Monday in October; the March term may continue until the last Saturday in June, inclusive, and the October term until the last Saturday in February, inclusive.

Section 8 is amended so as to provide that grand juries must be organized the first week of each term, each session limited to two weeks unless the judge extends the session. A grand jury may also be organized at any other time during a term with duties and powers of grand juries, generally, sessions limited to the week in which organized unless the judge extends the session; to be summoned and organized in the manner provided by section 5,000 of the Code.

Section 14 is amended so as to require the justice or notary in cases of levy on land under execution or attachment from his court to transmit all the papers, to the present term of this court, if practicable, otherwise

to the next term, whereupon this court may proceed at once to order a sale of the land in like manner as circuit courts.

Section 21 is amended so as to provide that the register shall have, exercise and discharge the same powers and duties in term time as in vacation.

Section 24 is amended so as to make warrants in misdemeanor cases returnable before the judge, and so as to require an accused party wishing to have such charge investigated by a grand jury, to make the demand when the case is first called for trial, and in any event, before a continuance thereof and not afterward.

Section 27 is amended so as to require bills of exception to be signed within twenty days from the date of the judgment, but the judge may extend the time not later than ninety days from the date of the judgment, and any number of extensions may be made, provided each order of extension is made before the expiration of the former order all not to exceed said ninety days.

Section 29 is amended so as to regulate more in detail the proceedings and practice in appeal cases from the courts of justices and notaries, the chief additions or changes being to make appeal cases returnable to the present term of the court unless the appeal is taken in vacation, then to the next term, and to provide that appeal cases stand for trial at once, subject to the regulations laid down in the section as amended.

Section 32 is amended so as to require any balance of the funds arising from sentences for costs in misdemeanor cases in the court, above the costs, and all funds arising from sentences on convictions in this court, except that part of such funds arising from the sentence for the fine, over and above the amount necessary to pay the costs, to be paid into the county treasury to the credit of the general fund.

Each of said sections, as amended, except for the amendments thereto, is a substantial reproduction of such section as it appears in the act amended.

Was published once a week for four consecutive weeks upon the following dates, to-wit: May 22 and 29th, and

June 5th and 12th, 1907, in the Huntsville Weekly Democrat, a newspaper published in said county of Madison and that affiant is the editor and publisher of said newspaper.
Susanna W. Clay.

Sworn to and subscribed before me this the 13th day of June, 1907.

W. F. Esslinger,
Notary Public.

By Mr. Hoffman:

H. 967. To provide artificial limbs for persons who have lost a limb or limbs whilst serving in the confederate army during the late civil war.

Appropriations.

By Mr. Hoffman, (with notice and proof):

H. 968. To amend section one of an act, approved December 7th, 1896, entitled an act to amend section 1, of an act entitled an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river, and the tributaries of those streams in Mobile county, approved February 18th, 1895.

Local Legislation.

Notice and Proof. H. 968.

NOTICE.

Notice is hereby given of the intention to apply to the Legislature of Alabama, at its adjourned session, commencing on the day of July 8, 1907, for the passage of a law making it unlawful for any person to use, for the purpose of catching fish in Little river, Mobile county, and the tributaries thereof, or within three hundred feet of the mouth thereof, and seine, gill net or tresmire net, or net of like kind, excepting, however nets known as cast nets, and to make the violation thereof a misdemeanor, said law to be incorporated as an amendment to an act approved December 7th, 1896, for the protection of fish in Deer river, East Fowl river, West Fowl river, and Bayou La Batre.

D. T. McLean.

Mobile, May 2, 1907.

The State of Alabama, }
 Mobile County. }

Before me, Jno. E. Mitchell, a notary public in and for Mobile county, Alabama, personally appeared Thomas B. Allman, who being first duly sworn, says that he is cashier of the Daily Herald, a newspaper published in the city of Mobile, Alabama; that the above notice was published once a week, for four consecutive weeks, in said Daily Herald, on, to-wit, May 2nd, 9th, 16th, 23rd, 1907.

Thomas B. Allman.

Subscribed and sworn to before me this 27th day of June, 1907.

Jno. E. Mitchell,

Notary Public, Mobile County, Alabama.

By Mr. Hoffman, (with notice and proof) :

H. 969. To provide for the more efficient working of the public roads in Mobile county, and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners of Mobile county; provide for the levy and collection of a road tax, and the method of disbursing moneys necessary to carry out the provisions of this act, and provide penalties for violations of its provisions.

Public Roads and Highways.

Notice and Proof. H. 969.

EXHIBIT "A".

Notice is hereby given of the intention to apply to the Legislature of Alabama for the passage of a local or special law, the substance of the proposed law, being to provide for the control, working, maintenance, building and improving of the public roads in Mobile county, as well as certain roads or thoroughfares within the city of Mobile, and to provide a road tax, to be paid by persons not exempt under the

general laws from road duty, the collection and disbursements thereof and a penalty for any failure to comply with the provisions of the law.

In substance, the proposed law will place the entire subject matter in the charge and control of the board of revenue and road commissioners of Mobile county, who elect a road superintendent; to provide that the superintendent shall, under the direction of the board, oversee and direct all work on every road embraced in the county, and those in the city provided for; the board to fix the compensation of the superintendent; to authorize the board to appropriate such monies out of the county treasury as may be necessary for the proper working, maintenance and improvement of the said roads; to make all persons liable to road duty, except those exempt under the general laws, providing, however, for a release from such liability upon the payment of not more than three dollars road tax, and fixing a penalty for failure to pay.

To provide for the collection of the road tax; the making of lists in each precinct of persons liable to road duty, and requiring payment of the tax to the nearest justice of the peace or the county treasurer, numbered receipts issued the county treasurer to be given for each payment; the deposit of same with the county treasurer and commissions of justice of the peace; the county treasurer shall audit the receipt book issued by him, keep an accurate account and deposit the revenue in a separate fund known as "road tax"; the board to fix his compensation; to require all corporations or firms, employing two or more persons, to furnish the county treasurer with the names of such and fixing a penalty for failure to do so.

To provide where persons who do not pay the road tax may be worked on the roads; to permit the working all or any part of said roads by contract, but all contracts over \$50.00 must be advertised for at least ten days and awarded to the lowest bidder, provided any or all bids may be rejected; to authorize the employment of such labor, the purchase of such property, wagons and outfit as may be necessary to carry on the work; to require

the majority of the board of county commissioners to visit together every road in the county of Mobile at least three times a year, and make affidavit to that effect, and a penalty for failure so to visit the roads; to require the superintendent to keep detailed accounts of all work, and a map showing where all work is done; and as compensation the members of the board of revenue and road commissioners for the service hereby required of them they shall be entitled to and receive one thousand dollars per annum, payable monthly.

The State of Alabama, }
Mobile County. }

Before me, the undersigned authority, personally appeared M. P. Dowling, who is known to me, and who being first duly sworn doth depose and say: I am the book-keeper for the Mobile Daily Item; I have personal knowledge that the foregoing notice marked "Exhibit A" was published in the Mobile Daily Item, a newspaper published in the city and county of Mobile, Alabama, once a week for four consecutive weeks, to-wit, on June fourth, June eleventh, June eighteenth and June twenty-fifth, 1907.

M. P. Dowling.

Subscribed and sworn to before me this 8th day of July, 1907.

Clara M. Stokes,

Notary Public, Mobile County, Ala.

By Mr. Hoffman, (with notice and proof) :

H. 970. To prohibit the sale, giving away, or otherwise disposing of beer, whiskey, or other intoxicating drinks or beverages within one mile of the Barkersville Baptist church, at Pritchard, in Mobile county, Alabama, and provide a penalty for a violation of this act.

Temperance.

Notice and Proof. H. 970.

The State of Alabama, }
Mobile County. }

Personally appeared between me, William P. Burgett, a notary public, in and for said State and county,

Thomas B. Allman, who on oath deposes and says that he is the cashier of the Herald Publishing Company; that said company publishes the Mobile Daily Herald, which is a newspaper published in the city and county of Mobile; that the subjoined advertisement was published in said newspaper once each week for four consecutive weeks, as required by section 106 of the constitution, that is to say:

NOTICE.

Notice is hereby given that application will be made at the present Legislature of Alabama to re-convene in July, 1907, for the passage of an act to prohibit the sale, giving away, or otherwise disposing of beer, whiskey or other intoxicants, within one mile of Barkesville Baptist church, at Prichard, Mobile county, Ala.

Thomas B. Allman.

Subscribed and sworn to before me this 29th day of June, A. D., 1907. Wm. P. Burgett,
Notary Public, Mobile County, Ala.

By Mr. Lyons, (with notice and proof):

H. 971. To provide for the compensation of the solicitor for Mobile county, to be elected in 1910, and his successors in office.

Appropriations.

Notice and Proof. H. 971.

The State of Alabama, }
Mobile County. }

Before me, James H. Webb, a notary public in and for the State and county aforesaid, personally appeared J. F. Carter, Jr., who being by me first duly sworn says, that he is managing editor for the Daily Herald, a newspaper published in the city and county of Mobile, State of Alabama, and that the following notice was published in said paper once a week for four successive weeks during the month of June, 1907, on, to-wit, the 7th, 14th, 21st, and 28th of said month:

NOTICE.

Notice is hereby given of intention to apply to the Legislature of Alabama, at its present session when it reconvenes in July, 1907, for the passage of the following bill, viz.:

A BILL

To be entitled an act to provide for the compensation of the solicitor for Mobile county to be elected in 1910 and his successors in office.

Section 1. Be it enacted by the Legislature of Alabama, That the solicitor for Mobile county to be elected in 1910, and his successors in office, shall receive as compensation for the performance of the duties of said office a salary of five thousand dollars a year, payable in equal monthly installments out of the treasury of said county.

The original of said notice cut from said paper is pasted hereon.

J. F. Carter, Jr.

Subscribed and sworn to before me on this the 8th day of July, 1907.

J. H. Webb,

A notary public in and for Mobile County, Alabama.

By Mr. Lyons, (with notice and proof):

H. 972. To amend section 3 of an act entitled "An act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9th, 1891.

Game, Fish and Forestry Preservation.

Notice and Proof. H. 972.

The State of Alabama, }
Mobile County. }

Personally appears before me, Joseph H. Lyons, a notary public, in and for said Mobile county, State of Alabama, Thos. B. Allman, who, being by me duly sworn, deposes and says on oath that he is the manager of the

circulating department of The Mobile Daily Herald; that the said The Mobile Daily Herald, is a newspaper published in the city of Mobile, Mobile county, Alabama; and, affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four consecutive weeks in the said The Mobile Daily Herald, that the fourth publication of said four consecutive publications of said notice was made in the said The Mobile Daily Herald on June 6th, 1907.

Thomas B. Allman,
Manager Circulation Department The Mobile Daily Herald.

Subscribed and sworn to before me this 7th day of June, 1907.

Joseph H. Lyons,
Notary Public, Mobile County, Alabama.

NOTICE.

Pursuant to constitutional requirement notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama for the purpose of amending section 3 of an act entitled "An act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9, 1891, which said section 3 reads as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell, or offer for sale, any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of this section shall not apply to salt fish nor salt water fish."

It is intended by the bill to be introduced at the present session to amend said section 3 so as to make it read as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell or offer for sale any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of

this section shall not apply to salt fish nor salt water fish, nor to catfish, nor to fish of any kind or species caught outside the boundaries of the State of Alabama."

The State of Alabama, }
Baldwin County. }

Personally appeared before me, W. D. Stapleton, a notary public, in and for said Baldwin county, State of Alabama, W. C. Dinwiddie, who, being by me duly sworn, deposes and says on oath that he is the business manager of The Baldwin Times; that the said the Baldwin Times is a newspaper published in the town of Bay Minette, Baldwin county, Alabama; and, affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four consecutive weeks in the said the Baldwin Times, that the fourth publication of said four consecutive publications of said notice was made in the said the Baldwin Times on June 20th, 1907.

W. C. Dinwiddie,
Business Manager, the Baldwin Times.

Subscribed and sworn to before me this 29th day of June, 1907.

W. D. Stapleton,
Notary Public, Baldwin County, Alabama.

NOTICE.

Pursuant to constitutional requirement notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama for the purpose of amending section 3 of an act entitled "An act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9, 1891, which said section 3 reads as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell, or offer for sale, any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of this section shall not apply to salt fish nor salt water fish."

It is intended by the bill to be introduced at the present session to amend said section 3 so as to make it read as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell or offer for sale any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of this section shall not apply to salt fish nor salt water fish, nor to catfish, nor to fish of any kind or species caught outside the boundaries of the State of Alabama."

By Mr. Lyons, (with notice and proof) :

H. 973. To amend section two (2) of an act entitled "An act to amend an act entitled an act to create the office of revenue constable for Mobile county and to prescribe his duties, approved February 24th, 1887."

Local Legislation.

Notice and Proof. H. 973.

The State of Alabama, }
Mobile County. }

Personally appeared before me, J. E. McHugh, a notary public, in and for said State and county, Thomas B. Allman, who on oath deposes and says that he is the cashier of the Mobile Daily Herald; that the said Mobile Daily Herald is a newspaper published in the city and county of Mobile, Alabama, and that the following notice was published therein once a week for four consecutive weeks, as required by section 106 of the constitution.

Thos. B. Allman, Cashier.

NOTICE

Is hereby given of the intention to apply to the Legislature of Alabama, for the passage of a local law, amending an act entitled "An act to amend an act entitled an act to create the office of revenue constable for Mobile county and to prescribe his duties, approved February 24, 1887."

By striking out the words "one hundred" where the same occur in section two (2) and inserting "one hundred and twenty-five" in lieu thereof.

Subscribed and sworn to before me this 21st day of June, A. D., 1907. J. E. McHugh,
(SEAL) Notary Public, Mobile County, Ala.

By Mr. Lyons, (with notice and proof) :

H. 974. Appropriating the sum of twenty-five thousand (\$25,000) dollars to the National Negro Fair Association to assist in the construction and erection of the necessary buildings and improvements at Prichard, in Mobile county, Alabama, for said fair association, and in the maintenance of a series of fairs to be conducted at said place by the National Negro Fair Association during the fall of the years 1907, 1908, 1909, and 1910.
Appropriations.

Notice and Proof. H. 974.

The State of Alabama, }
Mobile County. }

Personally appeared before me, William J. Young, a notary public, in and for the above State and county, Thomas B. Allman, who being by me first duly sworn, states that the annexed publication has been regularly made once a week for four consecutive weeks in the Mobile Daily Herald, a newspaper published in the city and county of Mobile, State of Alabama, and that the copy of the notice so annexed, is the same notice that was regularly published as aforesaid in the issues of said paper on dates of May 28th, June 4th, June 11th, June 18th, 1907. Affiant further states that he is the cashier of The Herald Publishing Company, and has knowledge of the foregoing facts.

Thomas B. Allman.

Sworn to and subscribed before me this first day of July, A. D., 1907. William J. Young,
Notary Public, Mobile County, Alabama.

NOTICE.

Notice is hereby given that application will be made at the present session of the Legislature of Alabama, to reconvene in July, 1907, for the passage of an act appropriating the sum of twenty-five thousand (\$25,000) dollars to assist the National Negro Fair Association in the construction and erection of the necessary buildings and improvements at Prichard, in Mobile county, Alabama, and in the maintenance of a series of fairs to be conducted at said place by the National Negro Fair Association during the fall of the years 1907, 1908, 1909 and 1910.

H. N. Newsome,
President and General Manager National Negro Fair Association.

By Mr. Lyons, (with notice and proof) :

H. 975. To relieve the National Negro Fair Association from the payment of all license and privilege taxes as well as to relieve its real and personal property located in Mobile county, Alabama, from taxation for a period of five years.

Ways and Means.

Notice and Proof. H. 975.

The State of Alabama, }
Mobile County. }

Personally appeared before me, William J. Young, a notary public, in and for the above State and county, Thomas B. Allman, who being by me first duly sworn, states that the annexed publication has been regularly made once a week for four consecutive weeks in the Mobile Daily Herald, a newspaper published in the city and county of Mobile, State of Alabama, and that the copy of the notice so annexed, is the same notice that was regularly published as aforesaid in the issues of said paper on dates of May 28th, June 4th, June 11th, June 18th, 1907. Affiant further states that he is the cashier of The Herald Publishing Company, and has knowledge of the foregoing facts.

Thos. B. Allman.

Sworn to and subscribed before me this second day of
July, A. D., 1907.

William J. Young,
Notary Public, Mobile County, Alabama.

NOTICE.

Notice is hereby given that application will be made at the present session of the Legislature of Alabama, to reconvene in July, 1907, for the passage of an act relieving the National Negro Fair Association from the payment of all license and privilege taxes as well as to relieve its real and personal property from taxation for a period of five years from the passage of said act.

H. N. Newsome,
President and General Manager National Negro Fair Association.

By Mr. Lyons, (with notice and proof):

H. 976. To prohibit the sale, giving away or otherwise disposing of beer, whiskey or other intoxicants for a period of five years within one-half mile of the fair grounds of the National Negro Fair Association, located at Prichard, in Mobile county, Alabama.

Temperance.

Notice and Proof. H. 976.

The State of Alabama, }
Mobile County. }

Personally appeared before me, William J. Young, a notary public in and for the above State and county, Thomas B. Allman, who being by me first duly sworn, states that the annexed publication has been regularly made once a week for four consecutive weeks in the Mobile Daily Herald, a newspaper published in the city and county of Mobile, State of Alabama, and that the copy of the notice so annexed, is the same notice that was regularly published as aforesaid in the issues of said paper on dates of May 28th, June 4th, June 11th, June 18th, 1907. Affiant further states that he is the cashier of The Herald Publishing Company, and has knowledge of the foregoing facts.

Thomas B. Allman.

Sworn to and subscribed before me this second day of
July, A. D., 1907.

William J. Young,
Notary Public, Mobile County, Alabama.

NOTICE.

Notice is hereby given that application will be made at the present session of the Legislature of Alabama, to reconvene in July, 1907, for the passage of an act prohibiting, for a period of five years, the sale, giving away, or otherwise disposing of beer, whiskey or other intoxicants, within one-half mile of the fair grounds of the National Fair Association, located at Prichard, in Mobile county, Alabama.

H. N. Newsome,
President and General Manager National Negro Fair Association.

By Mr. Norville, (with notice and proof) :

H. 977. To authorize the board of revenue and road commissioners of Mobile county to issue bonds for the purpose of improving the harbor and river front at Mobile, Alabama.

Municipal Organization.

Notice and Proof. H. 977.

The State of Alabama, }
Mobile County. }

Personally appeared before me, C. H. Costello, a notary public, in and for said State and county, Thomas B. Allman, who on oath deposes and says that he is the cashier of the Herald Publishing Company; that said company publishes the Mobile Daily Herald, which is a newspaper published in the city and county of Mobile; that the sub-joined advertisement was published in said newspaper, once each week for four consecutive weeks, as required by section 106 of the constitution, that is to say:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama at the next regular session thereof, to be held in January, 1907, for the passage of an act, requesting the Legislature to authorize the county of Mobile to issue bonds for the improvement of the harbor of Mobile.

Thos. B. Allman.

Subscribed and sworn to before me this 6th day of July, A. D., 1907.

C. H. Costello,

Notary Public, Mobile Co., Ala.

By Mr. Norville:

H. 978. To appropriate one hundred thousand dollars from any moneys in the treasury not otherwise appropriated, for the improvement of the harbor and river front of Mobile from the mouth of Mobile river northwardly to Three Mile creek.

Appropriation.

By Mr. Norville, (with notice and proof):

H. 979. To fix and provide for the salary of the judge of the thirteenth judicial circuit of Alabama.

Notice and Proof. H. 979.

NOTICE.

Notice is hereby given that application will be made at the present Legislature of Alabama, which will meet in July, 1907, for the passage of an act substantially as follows:

A BILL

To be entitled an act to fix and provide for the salary of the judge of the thirteenth judicial circuit of Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That the salary of the judge of the thirteenth judicial circuit of Alabama, be, and it is hereby fixed at the sum of four thousand dollars per annum and that

he shall be paid out of the State treasury the same sum as is now or shall hereafter be authorized by law to be paid to other circuit judges out of the State treasury, and such sum out of the treasury of Mobile county, Alabama, as will when added to the amount paid out of the State treasury equal to the salary of said judge as fixed by this act.

Samuel B. Browne.

The State of Alabama, }
Mobile County. }

Before me, Charles L. Bromberg, a notary public in and for said State and county, personally appeared Thomas B. Allman, who is known to me, and who after being by me first duly sworn on oath says, that he is the cashier of "The Daily Herald," a newspaper regularly published in Mobile, Mobile county, Alabama.

Affiant further says, that the foregoing notice hereto attached and hereby referred to as a part of this affidavit, was published in "The Daily Herald," once a week for four (4) consecutive weeks in the issue of said newspaper published on the following dates, viz.: May 16th, May 23rd, May 30th, and June 6th, 1907.

Thomas B. Allman.

Sworn to and subscribed before me this 5th day of July, A. D., 1907.

Chas. L. Bromberg,

Notary Public, Mobile County, Alabama.

By Mr. Norville, (with notice and proof):

H. 980. To fix and provide for the salary of the chancellor of the southwestern chancery division of the State of Alabama.

Judiciary.

Notice and Proof. H. 980.

NOTICE.

Notice is hereby given that application will be made at the present Legislature of Alabama, which will meet in July, 1907, for the passage of an act substantially as follows:

A BILL

To be entitled an act to fix and provide for the salary of the chancellor of the southwestern chancery division of the State of Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That the salary of the chancellor of the southwestern chancery division of the State of Alabama, be, and it is hereby fixed at the sum of four thousand dollars per annum, and that he shall be paid out of the State treasury the same sum as is now or shall hereafter be authorized by law to be paid to other chancellors out of the State treasury, and such sum out of the treasury of Mobile county, Alabama, as will when added to the amount paid out of the State treasury equal to the salary of said chancellor as fixed by this act.

Thomas H. Smith.

The State of Alabama, }
Mobile County. }

Before me, Charles L. Bromberg, a notary public in and for said State and county, personally appeared Thomas B. Allman, who is known to me, and who after being by me first duly sworn says, that he is the cashier of "The Daily Herald," a newspaper regularly published in Mobile, Mobile county, Alabama.

Affiant further says, that the foregoing notice hereto attached and hereby referred to as a part of this affidavit, was published in "The Daily Herald," once a week for four (4) consecutive weeks in the issues of said newspaper published on the following dates, viz.: May 16th, May 23rd, May 30th, and June 6th, 1907.

Thomas B. Allman.

Sworn to and subscribed before me this 5th day of July, A. D., 1907.

Chas. L. Bromberg,
Notary Public.

By Mr. Norville, (with notice and proof) :

H. 981. To provide for the election of a harbor master and three deputy harbor masters and to regulate their duties and provide for their compensation.

Municipal Organization.

Notice and Proof. H. 981.

The State of Alabama, }
 Mobile County. }

Personally appeared before me, C. H. Costello, a notary public, in and for said State and county, Thomas B. Allman, who on oath deposes and says that he is the cashier of the Herald Publishing Company; that said company publishes the Mobile Daily Herald, which is a newspaper published in the city and county of Mobile; that the subjoined advertisement was published in said newspaper, once each week for four consecutive weeks, as required by section 106 of the constitution, that is to say:

NOTICE.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama to pass an act or acts amendatory of the existing laws in relation to the harbor master and deputy harbor master of the port of Mobile, their appointment, duties and compensation; to the extent of prescribing for the election of three or more deputy harbor masters, not exceeding four; of further defining the duties of harbor master and deputy harbor masters, and prescribing the hours during which they shall severally perform the duties of their office and providing for the compensation of the said harbor master and deputy harbor masters by the imposition of the same fees as are imposed on vessels for superintendence of the shifting or mooring of the same and the distribution of these fees among the said harbor master and deputy harbor masters.

Thomas B. Allman.

Subscribed and sworn to before me this 29th day of June, A. D., 1907.

C. H. Costello,

N. P., Mobile Co., Ala.

By Mr. Maner:

H. 982. To receive and appropriate the moneys granted to the State of Alabama by an act of Congress, approved March 4th, 1907, at 9:43 a. m., entitled "An

act making appropriations for the department of agriculture for the fiscal year ending June thirtieth, nineteen hundred and eight."

Agriculture.

By Mr. Maner :

H. 983. To establish a board of commissioners for the promotion of uniformity of legislation in the United States.

Judiciary.

By Mr. Maner, (with notice and proof) :

H. 984. To fix the salary of the associate judge of the city court of Montgomery.

Judiciary.

Notice and Proof. H. 984.

The State of Alabama, }
Montgomery County. }

Before me, H. N. Hughes, clerk of the city court of Montgomery, personally appeared J. B. Stern, who is known to me, and who being by me first duly sworn, upon oath deposes and says that he is the general manager of the Montgomery Times, which is a daily newspaper published in the city and county of Montgomery, Ala., and that an advertisement in words and figures as follows:

NOTICE.

A bill will be introduced at the session of the Legislature fixing the salary of the associate judge of the city court of Montgomery at \$3,600 per annum, payable in monthly installments.

Was published once a week for four consecutive weeks in said Montgomery Times during the present session of the Legislature and before the date of this affidavit.

J. B. Stern.

Sworn to and subscribed before me this the 8th day of July, 1907.

H. N. Hughes,

Clerk of the City Court of Montgomery.

By Mr. Maner, (with notice and proof) :

H. 985. For the relief of Walter Carter Company on unexpired license as future dealers.

Appropriations

Notice and Proof. H. 985.

The State of Alabama, }
Montgomery County. }

Before me, Rica Alexander, a notary public in and for said State and county, personally appeared V. H. Hanson, who is known to me and who being by me first sworn, deposes and says as follows: That he is advertising manager of The Montgomery Advertiser, a newspaper published in the city of Montgomery, Alabama; that the attached advertisement correctly appeared in The Montgomery Advertiser in issues May 9, 16, and 30, 1907.

V. H. Hanson.

Subscribed and sworn to before me this the 3rd day of July, 1907.

Rica Alexander,

Notary Public, Montg. Co., Alabama.

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session 1907, of the Legislature of Alabama, which reconvenes in July, which bill is in substance as follows:

Whereas, Walter Cotter Company were licensed by the State of Alabama to do business as future dealers for the year 1907 in the city of Montgomery, Alabama, for which said Walter Cotter Company paid the sum of \$500.00; and,

Whereas, by act of Legislature, approved March 7th, 1907, said license was canceled and an additional license of \$5,000.00 was imposed upon said Walter Cotter Company to do business as future dealers; and,

Whereas, said Walter Cotter Company declined to pay said additional license and ceased to do business on April 6, 1907, leaving an unexpired term of eight months and twenty-four days under said license;

Therefore, Be it enacted by the Legislature of Alabama, That the auditor is hereby authorized to draw his warrant in favor of said Walter Cotter Company on the treasurer of the State of Alabama for the sum of \$360.00, being the amount of said license unexpired on April 6th, 1907.

Louis Loeb.

By Mr. Goodwyn, (with notice and proof) :

H. 986. For the relief of Annie U. Boylan, by making additional compensation to her for the lots now forming part of the capitol grounds acquired from her under the act of Feby. 17th, 1903, creating a commission for the improvement of the capitol building and grounds.

Appropriations.

Notice and Proof. H. 986.

NOTICE.

Notice is hereby given that application will be made to the adjourned session of the Legislature of Alabama when it meets in July, 1907, for the passage of an act appropriating the sum of five thousand three hundred and sixty dollars (\$5,360.00) as additional compensation to Annie U. Boylan for the lots now forming part of the capitol grounds acquired from her under the act of February 17, 1903, creating a commission for the improvement of the capitol building and grounds.

May 4, 1907.

The State of Alabama, }
Montgomery County. }

Before me, Hugh Nelson, a notary public in and for said county in said State, personally appeared Ben DeLemos, who being by me first duly sworn on oath, says, that he is editor and publisher of the "Alabama Outlook," a newspaper published in said county; that the foregoing notice has been published at least once a

week, in said newspaper; that such publication was completed Saturday, June 8th, 1907.

Ben deLemos.

Sworn to and subscribed before me on this 14th day of June, 1907.

Hugh Nelson,

Notary Public, Montgomery County, Ala.

My commission expires August, 1907.

By Mr. Mastin:

H. 987. To impose a tax of one dollar each year on all dogs in the State of Alabama over four months of age and to provide for the collection of such tax and to provide that all live stock killed or injured, and all damages done thereto shall be paid for out of the dog fund, and to provide that the surplus left in the dog tax fund on the first day of March of each year shall be paid into the public school funds of the county in which said tax was collected.

Ways and Means.

By Mr. Long, of Morgan, (with notice and proof):

H. 988. To fix the time and place where the tax assessor of Morgan county, Alabama, shall keep his office and prescribe the number of rounds to be made by him in the county each year, for the purpose of assessing taxes and allowing him to fix the number of days to remain in the several precincts for the purpose of assessing tax during the months of October and November of each year, and requiring him to be at the court house of the county during the month of December in each year for the purpose of assessing the taxes of the county.

Local Legislation.

Notice and proof H. 988.

The State of Alabama, }
Morgan County. }

Before me, Dan Walden, a notary public, in and for the county and State aforesaid, this day personally appeared J. C. Orr, who being first duly sworn, deposes and says that he is the editor and proprietor of a news-

paper published in the said State and county, known and designated as the Morgan County Times. That the notice hereto attached was published in said newspaper once a week for four consecutive weeks, beginning with the issue of date, June 7th, 14th, 21st, and 28th, 1907.

That said notice was published without cost to the State of Alabama.

J. C. Orr.

Sworn to and subscribed before me, this 6th day of July, 1907.

Dan Walden,
Notary Public and Ex. Off. J. P.

NOTICE.

There will be a bill introduced at the adjourned session of the legislature to convene in July, 1907, authorizing and requiring the tax assessor of Morgan county to keep an office at the court house from the first of October until the 1st of May of each and every tax year; and also authorizing the tax assessor to make only one round of the county for the purpose of assessing taxes, and allow him to remain at the several precincts of the county as long as it may be necessary to assess the taxes thereof during the months of October and November in each year, and requiring him to be at the court house of the county during the month of December in each year for the purpose of assessing the taxes of the county.

By Mr. Long, of Morgan, (with notice and proof):

H. 989. To fix the time and place where the tax collector of Morgan county, Alabama, shall keep his office and prescribing the number of rounds to be made by him in the county each year, for the purpose of collecting taxes, and allowing him to fix the number of days to remain in the several precincts for the purpose of collecting taxes during the months of October and November in each year, and requiring him to be at the

court house of the county during the month of December in each year for the purpose of collecting the taxes of the county.

Local Legislation.

Notice and proof H. 989.

NOTICE.

There will be a bill introduced at the adjourned session of the legislature to convene in July 1907, authorizing and requiring the tax collector of Morgan county to keep an office at the court house from the 1st of October until the 1st of May of each and every year; and also authorizing the tax collector to make only one round of the county for the purpose of collecting taxes, and allow him to remain at the several precincts of the county as long as it may be necessary to collect the taxes thereof during the months of October and November in each year, and requiring him to be at the court house of the county during the month of December in each year for the purpose of collecting the taxes of the county.

The State of Alabama, }
Morgan County. }

Before me, Dan Walden, a notary public in and for the county and State aforesaid, this day personally appeared J. C. Orr, who being first duly sworn, deposes and says that he is the editor and proprietor of a newspaper published in the said State and county, known and designated as the Morgan County Times; that the notice hereto attached was published in said newspaper once a week for four consecutive weeks, beginning with the issue of date June 7th, 14th, 21st, and 28th, 1907, and that said notice was published without cost to the State of Alabama.

J. C. Orr.

Sworn to and subscribed before me, this 6th day of July, 1907.

Dan Walden,

Notary Public and Ex. Off. J. P.

By Mr. Long of Morgan, (with notice and proof) :

H. 990. To require the tax assessor and tax collector of Morgan county, Alabama, to make their round as required by law together, and providing notice of said round.

Local Legislation.

Notice and proof H. 990.

The State of Alabama, }
Morgan County. }

Before me, Dan Walden, a notary public in and for the county and State aforesaid, this day personally appeared J. C. Orr, who being first duly sworn, deposes and says that he is the editor and proprietor of a newspaper published in the said State and county, known and designated as the Morgan County Times; that the notice hereto attached was published in said newspaper once a week for four consecutive weeks, beginning with the issue of date June 7th, 14th, 21st, and 28th, 1907, and that said notice was published without cost to the State of Alabama.

J. C. Orr.

Sworn to and subscribed before me, this 6th day of July, 1907.

Dan Walden,
Notary Public & Ex. Off. J. P.

NOTICE.

There will be a bill introduced in the legislature at the adjourned session thereof in July requiring the tax assessor and collector of Morgan county, Alabama, to make the rounds of the county together.

By Mr. Long, of Morgan, (with notice and proof) :

H. 991. To fix the manner of electing the city clerk of the town of Decatur, Alabama.

Privileges and Elections.

Notice and proof, H. 991.

The State of Alabama, }
Morgan County. }

Before me T. M. Dix, notary public, in and for said State and county, personally appeared H. E. Hildreth, owner of the New Decatur Advertiser, who on oath, deposes and says, that the New Decatur Advertiser, is a newspaper published in the city of New Decatur, Alabama, that the following notice, viz:

NOTICE.

There will be a bill introduced in the coming session of the legislature of Alabama, that will make the office of city clerk of Decatur, Alabama, elective on the first Tuesday after the first Monday in May, 1908, and every two years thereafter.

Was duly published in said newspaper on May the 30th, 1907, June 6, 1907, June 13th, 1907, and June 20, 1907, being once a week for four consecutive weeks, as required by law.

H. E. Hildreth.

Sworn and subscribed to before me this the 6th day of July, 1907.

T. M. Dix,
Notary Public, Morgan Co., Ala.

By Mr. Long, of Morgan, (with notice and proof):

H. 992. To fix the manner of electing the marshal of the town of Decatur, Alabama.

Privileges and Elections.

Notice and proof H. 992.

The State of Alabama, }
Morgan County. }

Before me, T. M. Dix, a notary public, in and for said State and county, personally appeared H. E. Hildreth, owner of the New Decatur Advertiser, who on oath, de-

poses and says, that the New Decatur Advertiser, is a newspaper published in the city of New Decatur, Alabama, that the following notice, viz:

NOTICE.

There will be a bill introduced in the coming session of the legislature of Alabama, that will make the office of the city marshal of Decatur, Alabama, elective on the first Tuesday after the first Monday in May, 1908, and every two years thereafter.

Was duly published in said newspaper on May 30, 1907, June 6th, 1907, June 13, 1907, and June 20, 1907, being once a week for four consecutive weeks as required by law.

H. E. Hildreth.

Sworn to and subscribed to before me this the 6th day of July, 1907.

T. M. Dix,

Notary Public, Morgan Co., Ala.

By Mr. Long, of Morgan, (with notice and proof):

H. 993. To amend an act entitled an act, to fix and regulate the ex-officio fees of the clerk of the circuit court of Limestone and Morgan counties.

Revision of Laws.

Notice and proof H. 993.

The State of Alabama, }
Morgan County. }

Before me, A. S. Blackwell N. P., in and for said State and county, personally appeared H. E. Hildreth, publisher of the New Decatur Advertiser, who on oath, deposes and says, that the New Decatur Advertiser, is a newspaper published in the city of New Decatur, Alabama, that the following notice, viz:

NOTICE.

There will be a bill entitled an act, to amend an act entitled an act, to fix and regulate the ex-officio fees of the clerk of the circuit court of Limestone and Morgan

counties, Alabama. That said bill will fix the ex-officio fees of the circuit court clerk of Morgan county at the sum of six hundred and fifty dollars.

Was duly published in said newspaper on April 11, 1907, April 18, 1907, April 25, 1907, May 2, 1907, being once a week for four consecutive weeks as required by law.

H. E. Hildreth.

Sworn to and subscribed to before me this the 1st day of July, 1907.

A. S. Blackwell, N. P.

By Mr. Long, of Morgan:

H. 994. To amend section 4792 of code, 1896, defining card and dice playing at public houses and other public places.

Revision of Laws.

By Mr. Long, of Morgan:

H. 995. To provide for the settlement, adjustment and refunding of any indebtedness of the various counties of Alabama.

Municipal Organization.

By Mr. Long, of Morgan:

H. 996. To amend section (4596) of the code of 1896, (relative to sheriff or deputy attending court, and compensation therefor).

Revision of laws.

By Mr. Long, of Morgan, (with notice and proof):

H. 997. To amend section fourteen (14) of an act entitled an act, to provide for the more efficient working and keeping in repair the public roads of Morgan county; and to locate, construct, repair and keep in proper condition within the limits of said county a system of public roads of a superior grade, to be known as the county roads of said county, approved February 28th, 1901.

Public Roads and Highways.

Notice and proof H. 997.

The State of Alabama, }
 Morgan County. }

Before me W. E. Skeggs, judge of probate, in and for said State and county, personally appeared H. E. Hildreth, owner of the New Decatur Advertiser, who, on oath, deposes and says, that the New Decatur Advertiser, is a newspaper published in the city of New Decatur, Alabama, that the following notice, viz:

NOTICE OF AN ACT.

A bill to be entitled an act, to amend section fourteen (14) of an act, entitled an act, to provide for the more efficient working and keeping in repair the public roads of Morgan county; and to locate, construct, repair and keep in proper condition within the limits of said county, a system of public roads of a superior grade, to be known as the county roads of said county, approved February 28th, 1901.

Section 1. Be it enacted by the legislature of Alabama, That section fourteen (14) of said act be amended so as to read as follows: That for their services rendered under the provisions of this act, the road supervisors, may receive the sum of one hundred and fifty dollars (\$150.00) each, per annum, payable quarterly, and the further sum of three dollars (\$3.00) per day, for locating, constructing grading, macadamizing and contracting for building and repairing bridges and contracting for building and repairing bridges and culverts, to be paid by the county commissioners court, upon an itemized account verified by an affidavit.

Was duly published in said newspaper on June 13, 1907, June 20, 1907, June 27, 1907, and July 4, 1907, being once a week for four consecutive weeks as required by law.

H. E. Hildreth.

Sworn to and subscribed to before me this the 6th day of July, 1907.

Wm. E. Skeggs,
 Judge of Probate.

By Mr. Sample:

H. B. To amend section 4797 of the code of Alabama of 1896. (Relating to betting on steam boats, etc.)

Revision of Laws.

By Mr. Sample, (with notice and proof) :

H. 999. To appeal an act entitled, "an act to authorize and empower the Decatur Land Co. a corporation," to list certain of its lands to the tax assessor of Morgan county, in acreage, approved December 13th, 1900.

Ways and Means.

Notice and proof H. 999.

The State of Alabama, }
Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and for said county in said State, this day personally came J. A. West, known to me to be the editor and manager of the Hartselle Enquirer, a weekly newspaper, published in Hartselle, Morgan county, Alabama, who being by me duly sworn, deposes and says:

That he is the editor and manager of the Hartselle Enquirer, a weekly newspaper, published in Hartselle, Morgan county, Alabama, and that a notice was published, without cost to the State, once a week for four consecutive weeks in said newspaper before the making of this affidavit, which notice was in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given, that a bill will be introduced at the adjourned session of the present legislature, which convenes July 9th, 1907, which will repeal the act entitled, an act to authorize and empower the Decatur Land Company, a corporation, to list certain of its land to the tax assessor of Morgan county in acreage. Approved December 13th, 1900. Acts of 1900-01, page 641.

(Signed) Jno. R. Sample."

That said notice was published in said paper in the issues of June 13th, 20th, 27th, and July 4th, 1907.

J. A. West.

Subscribed and sworn to before me this the 8th day of July, 1907.

J. C. Hogan, Justice of the Peace.

By Mr. Sample, (with notice and proof) :

H. 1000. To repeal an act entitled "an act to regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama, approved February 15th, 1897.

Local Legislation.

Notice and proof H. 1000.

The State of Alabama, }
Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and for said county and in said State, this day personally appeared J. A. West, known to me to be the editor and manager of the Hartselle Enquirer, a weekly newspaper, published in Hartselle, Morgan county, Alabama, who being by me duly sworn, deposes and says:

That he is the editor and manager of the Hartselle Enquirer, a weekly newspaper, published in Hartselle, Morgan county Alabama, and that a notice was published, without cost to the State of Alabama, once a week for four consecutive weeks in said newspaper before the making of this affidavit, which notice was in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given, that at the adjourned session of the present legislature of Alabama which convenes July 9th, 1907, a bill will be introduced, which will repeal the act entitled, an act to regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama, approved February 15th, 1897. Acts 1896-7, page 969.

(Signed) Jno. R. Sample."

That said notice was published in said paper in the issues of May 30th, June 6th, 13th, and 20th, 1907.

J. A. West.

Subscribed and sworn to before me this the 8th day of July, 1907.

J. C. Hogan,
Justice of the Peace.

By Mr. Sample, (with notice and proof) :

H. 1001.. To amend section 1 of an act entitled "an act to establish a new charter for the town of Hartselle, in Morgan county," approved February 18th, 1899.

Municipal Organization.

Notice and proof H. 1001.

The State of Alabama, }
Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and for said county in said state, this day personally came J. A. West, known to me to be the editor and manager of the Hartselle Enquirer, a weekly newspaper, published at Hartselle, Morgan county, Alabama, who being by me duly sworn, deposes and says:

That he is the manager and editor of the Hartselle Enquirer, a weekly newspaper, published in Hartselle, Morgan county, Alabama, and that a notice was published, without cost to the State of Alabama, once a week for four consecutive weeks before the making of this affidavit, which was in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the present legislature, which convenes on July 9th, 1907, to amend section 1 of an act entitled, an act to establish a new charter for the town of Hartselle, in Morgan county, approved February 18th, 1899, so that said section 1 of said act will read as follows:

Section 1. Be it enacted by the Legislature of Alabama, that the town of Hartselle, be, and the same is

hereby incorporated, and the corporate limits of said town shall embrace and include all of the territory within the N. W. 1-4 of section 14, the S. W. 1-4 of section 11, the S. E. 1-4 of section 10, and the N. E. 1-4 of section 15, township 7, range 4 west, Morgan county, Alabama."

That said notice was published in said paper in the issues of June 13th, 20th, 27th, and July 4th, 1907.

J. A. West.

Subscribed and sworn to before me this 8th day of July, 1907.

J. C. Hogan,
Justice of the Peace.

By Mr. Sample, (with notice and proof) :

H. 1002. To amend section 4 of an act entitled, "an act to incorporate the town of Somerville, in Morgan county, Alabama," approved February 3rd, 1872.

Municipal Organization.

Notice and proof H. 1002.

The State of Alabama, }
Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and for said county in said State, this day personally came J. A. West, known to me to be the editor and manager of the Hartselle Enquirer, a weekly newspaper, published in Hartselle, Morgan county, Alabama, who being by me duly sworn, deposes and says :

That he is the editor and manager of the Hartselle Enquirer, a weekly newspaper, published in Hartselle, Morgan county, Alabama, and that a notice was published, without cost to the State of Alabama, once a week for four consecutive weeks in said newspaper before the making of this affidavit, which notice was in words and figures as follows, to-wit :

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the present Legislature which convenes on July 9th, 1907, to amend section 4 of an act entitled, an act to incorporate the town of Somerville in Morgan county, Alabama, so as to provide for an election of a mayor and four councilmen in said town on the first Monday in September, 1907, and every two years thereafter, and name judges for said election."

That said notice was published in said paper in the issues of June 13th, 20th, 27th, and July 4th, 1907.

J. A. West.

Subscribed and sworn to before me this the 8th day of July, 1907.

J. C. Hogan,
Justice of the Peace.

By Mr. Pitts, of Perry:

H. 1003. To prevent any person or persons from drinking intoxicating liquors in the presence of passengers on any railway passenger car or street car in the State of Alabama.

Temperance.

By Mr. Ballard, of Pike, (with notice and proof):

H. 1004. To repeal an act entitled "an act to establish and define the boundary lines of Spring Hill school district, Pike county.

Education.

Notice and proof H. 1004.

NOTICE.

Notice is hereby given that application will be made at the next session of the Legislature to repeal an act entitled an act to establish and define the boundary line of the Spring Hill School district of Pike county, Ala., approved Feb. 13, 1885.

The State of Alabama, }
 Pike County. }

Before me, Ralph J. Barr, N. P., in and for said State and county, personally appeared Sidney Herbert Blan, who being duly sworn deposes and says that he is the editor and publisher of the Troy Messenger, a newspaper published in Pike county, Alabama, and that the publication of a certain notice of which the foregoing printed notice is a true and correct copy, has been made in said paper for four consecutive weeks, to-wit; beginning on the 10th day of June, 1907, and continuing for four consecutive weeks from said date.

Sidney Herbert Blan.

Sworn to and subscribed before me this the 7th day of July, 1907.

Ralph J. Barr, Notary Public.

By Mr. Ballard, of Pike:

H. 1005. For the relief of C. R. Gibson, and Irby Moody, two ex-confederate soldiers being residents of Pike county, Alabama.

Appropriations.

By Mr. Ballard, of Pike:

H. 1006. To appropriate for the use of the public schools of the State for the fiscal years ending September 30th, 1908, 1909, 1910 and 1911, in addition to the amount now appropriated for the support of the public schools of the State, all the surplus moneys that may accrue in the State Treasury, for the fiscal years 1908, 1909, 1910, and 1911.

Appropriations.

By Mr. Avery, (with notice and proof):

H. 1007. For the relief of T. J. East, a one-legged, disabled, ex-confederate soldier, in accordance with an act as approved February 10th, 1899, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows.

Appropriations.

Notice and proof H. 1907.

AN ACT

For the relief of Thos. J. East, a one-legged, disabled, ex-confederate soldier, in accordance with an act as approved February 10th, 1899, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows.

Requiring the probate judge of Randolph county to place or cause to be placed the name of Thos. J. East on the pension list of the ex-confederate soldiers of the county of Randolph.

Sec. 1. Be it enacted by the Legislature of Alabama, That for the year 1907, the probate judge of Randolph county shall place or cause to be placed on the roll of ex-confederate soldiers receiving a pension under the laws of Alabama as approved Feb. 10th, 1899, the name of Thos. J. East, who is a one-legged ex-confederate soldier, well approved, residing in Randolph county, and to be continued on the list of pensions from year to year in class 2 during his natural life, causing him to receive the amount now appropriated for said class or that may hereafter be appropriated and received by class 2 in the State of Alabama.

Sec. 2. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, as they may apply to Thos. J. East, are hereby repealed.

The above act will be introduced at the adjourned term of the Legislature of Alabama of 1907.

Roanoke, Randolph County, Alabama, July 5, 1907.

Before me, S. C. Faucett, a notary public in and for said county and State, this day personally appeared O. H. Stevenson, who, being duly sworn, deposeth and saith that he is publisher of the Roanoke Leader, a newspaper published in Roanoke, Randolph county, Alabama, and that the accompanying notice of a bill for the relief of T. J. East was published in the said Roanoke Leader for four consecutive weeks, including the dates of May 29, June 5, June 12, and June 19, 1907.

S. C. Faucett, Notary Public.

By Mr. Hoffman, (with notice and proof) :

H. 1008. To establish the law and equity court of Mobile.

Judiciary.

Notice and Proof. H. 1008.

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama to enact the following into law :

A BILL

To be entitled an act to establish the law and equity court of Mobile.

Section 1. Be it enacted by the Legislature of Alabama, That there is hereby established in and for the county of Mobile a law and equity court of record, which shall be called the law and equity court of Mobile, and which court shall have and exercise all the jurisdiction, original and appellate, and all powers, which are now or may hereafter be, by law, conferred upon the several circuit and chancery courts of the State, except said court shall not have jurisdiction to try criminal cases. When exercising the powers and jurisdiction of courts of equity, it shall conform to the rules of procedure and practice in the chancery courts of this State, and when exercising the powers and jurisdiction of courts of law, it shall conform to the rules of procedure and practice of circuit courts of this State, except where rules of procedure are changed by this act. Provided, that the presiding judge of said court shall have power to make and adopt such rules of practice as may be required by a proper system of practice for said court, and to amend the same as may be expedient. Said rules shall be recorded upon the minutes of said court.

Section 2. Be it further enacted, That a judge for said court shall be appointed by the governor within thirty days after the approval of this act, whose term of service shall continue until the general election

of 1910, after which time said judge shall be elective by the qualified voters of Mobile county. At the general election for State officers in November, 1910, the successor of the judge so appointed by the governor, shall be elected by the qualified voters of Mobile county; said judge so elected shall hold office until the next general election for circuit judges and chancellors, at which time and every six years thereafter, the judge of said court shall be elected by the qualified voters of Mobile county as circuit judges and chancellors are elected. Such judge shall have and exercise all the jurisdiction and powers which are now or hereafter may be lawfully exercised by judges of the circuit court or chancellors of this State, including authority to issue all writs which are now or may hereafter be lawfully issued by judges of the circuit court or chancellors of this State.

Section 3. Be it further enacted, That the clerk of the circuit court of Mobile county shall be ex officio the clerk of said law and equity court of Mobile on the law side of said court and shall have all the powers and be liable to perform all the duties and shall be subject to all the penalties in such court as in like cases in the circuit court, now or hereafter provided by law, and shall be entitled to the same fees as in like cases in the circuit court now or hereafter allowed by general law.

Section 4. Be it further enacted, That the register in chancery of the chancery court of Mobile county shall be ex officio the register of said court on the equity side of said court and shall have all the powers and be liable to perform all the duties and be subject to all the penalties in such court as in like cases in the chancery court now or hereafter provided by law, and said register shall be entitled to the same fees as in like cases in the chancery court now or hereafter allowed by general law.

Section 5. Be it further enacted, That said clerk of the circuit court and said register in chancery, as ex officio clerk and register respectively, shall each appoint a deputy especially for said law and equity court, pro-

vided the same person may be both deputy-register and deputy-clerk for said law and equity court. All of the acts of such deputy shall be performed in the name of such register or clerk. Said deputy-register and said deputy-clerk shall possess all the powers and authority, both ministerial and judicial, now or hereafter possessed by such clerk and register respectively.

Section 6. Be it further enacted, That in the event that either the clerk of the circuit court or the register in chancery at Mobile be put upon a salary, the judge of said law and equity court shall appoint a clerk of said court who shall be called clerk and register and thereupon be clerk of the law side, and register of the equity side of said court and hold his office until his successor shall have been elected at the general election held in 1910 and duly qualified. Immediately upon his qualification the ex officio service of the clerk of the circuit court and register in chancery shall cease. Thereafter said clerk of said law and equity court shall be elected in like manner and at the same time as clerks of circuit courts. Said clerk shall give bond in the sum of ten thousand (\$10,000.00) dollars with surety to be approved by the judge of said court and filed with the probate judge of Mobile county; said bond may be increased at any time upon the order of the presiding judge of said court. Said clerk on the law side of said court shall have all the powers and authority, ministerial and judicial, now or hereafter vested in the clerks of circuit courts, and on the equity side of said court he shall have all the powers and authority, both ministerial and judicial, now or hereafter vested in registers in chancery. And in such event the clerk of said court shall receive a salary of three thousand (\$3,000.00) dollars per annum, payable in monthly installments out of the treasury of Mobile county. Said clerk may appoint a deputy, whose appointment shall be entered on the minutes of said court and who shall be vested with all the powers and authority of said clerk, and whose acts shall be performed in the name of said clerk, and for whose acts said clerk and the sureties on his

bond shall be responsible. The compensation of said deputy shall be fixed by the board of revenue and road commissioners of Mobile county and paid in monthly installments out of the Mobile county treasury. The same fees shall be taxed in causes on the law side of said court as are allowed by general laws to clerks of circuit courts, and in causes on the equity side the same fees as are allowed by general law to registers in chancery. Said fees shall be collected by the said clerk and by him turned in to the treasury of Mobile county.

Section 7. Be it further enacted, That said court shall have one term per year, beginning on the first Monday of October and lasting until and including the 31st day of July next following. The presiding judge of said court may adjourn said court for as long a time during the term as to him seems proper. The absence of the presiding judge for any length of time shall not cause a lapse of the term, but the clerk or the register, or both together, may adjourn said court, or the judge thereof may by written order transmitted to and filed with said clerk or register, order said court adjourned until any time he or they think proper. No term shall, for any cause, be adjourned sine die until the time for ending thereof fixed by law. Said presiding judge may reconvene said court for the transaction of any business, at any time, by consent of the parties, before the time fixed by previous order of adjournment. Provided, that the first term of said court shall begin as soon as said court can be organized. Should the judge of said court, by reason of sickness or other disability, or cause, be absent from said court, the governor shall have power to appoint a judge pro tem until the regular judge's return, or for such limited time as the governor may fix; during which time said judge pro tem shall have all the power and authority of the regular judge. The clerk shall certify to the auditor the number of days attendance of said judge pro tem, and the State auditor shall draw his warrant on the State treasury on favor of said judge pro tem for ten (\$10.00) dollars for each day's attendance so certified.

Section 8. Be it further enacted, That said court shall be held at a place to be provided from time to time in the city of Mobile, by the board of revenue and road commissioners of Mobile county. Said board of revenue and road commissioners shall also provide such stationery, books and furniture and facilities as may be necessary for the proper transaction of the business of said court.

Section 9. Be it further enacted, That said court shall adopt a seal therefor, the form of which shall be entered upon the minutes of said court; said seal may be made in duplicate so that each side of said court may be provided therewith.

Section 10. Be it further enacted, That the jury commissioners of Mobile county shall provide a special box of names from which jurors for said law and equity court are to be drawn, which shall be replenished by said commissioners from time to time; in the absence thereof said names shall be drawn from any circuit or city court jury box. Juries for the trial of jury cases shall be drawn in open court by the clerk when ordered by the presiding judge, in the same manner now or hereafter provided by law for drawing of jurors in the Mobile circuit court. The jurors shall receive the same compensation as jurors serving in the circuit court, payable out of the Mobile county treasury in like manner.

Section 11. Be it further enacted, That it shall be lawful for causes to be transferred by consent of all parties thereto, or their counsel of record, from the chancery court of Mobile, or from the circuit court of Mobile, to said law and equity court, or from said law and equity court to the chancery court of Mobile, or to the circuit court of Mobile; consent of all parties or their counsel of record to be put in writing, and filed in both courts. When suits are by or against minors or insane persons, said consent may be executed by their guardians, next friend of guardians ad litem. In the event of such transfer from one court to another, the clerk or register shall transmit the original file of papers to said

court to which the same is transferred, and said cause shall stand for further proceedings therein as if originally brought in the court to which the same is so transferred, and in such event no final record of said cause shall be made in the court from which the same is so transferred.

Section 12 . Be it further enacted, That in all cases commenced in said court by summons and complaint or bill in equity, the defendant shall be required to appear and demur, answer or plead to the complaint or bill within thirty days after the service of the summons upon him, whether such service be in term time or vacation; and in all cases at law commenced by attachment, if the cause of action is due, the complaint must be filed in ten days after the issuance of the attachment, and the defendant shall appear and demur or plead within thirty days after the levy of attachment and service of notice thereof, or in case the suit is against a non-resident or other person upon whom service may be had by publication, within thirty days after service is perfected by such publication; if the cause of action is not due, complaint must be filed in three days after it becomes due, and the defendant must plead or demur in three days thereafter, but no judgment by default, in any case, shall be entered until five days after the complaint has been filed; and in all cases the defendant must appear and plead or demur within thirty days after perfection of such service upon him; and in all cases, whether commenced by summons and complaint, attachment, bill or otherwise, the defendant failing, for more than the time hereinabove provided to appear and demur, or plead, or answer, shall be held to be in default, and at any time thereafter judgment by default, or decree pro confesso, on motion of the plaintiff, may be rendered against him; provided, however, that the court may, for good cause shown, allow such judgment so obtained by default, or decree pro confesso, to be set aside; and demurrers, pleas or answer to be filed on such terms as the court may think just; but no application to set aside such judgment or decree unless it be

for some reversible error committed in the rendition thereof, shall be entertained by the court, unless accompanied by an affidavit by the defendant or his agent or attorney to the effect that in the belief of the affiant the defendant has a lawful defense to such suit.

Section 13. Be it further enacted, That all garnishments issued from said court shall require an answer thereto within thirty days after the service thereof; and upon a failure of any garnishee to make answer within thirty days he shall be deemed in default and a judgment nisi may be rendered against him upon motion of the plaintiff if the plaintiff is otherwise entitled to such judgment nisi, and unless otherwise ordered by the court, all citations, rules, writs or scire facias and notices issuing from said court shall require the party against whom they are issued to appear and plead or answer within thirty days after the service thereof, and if the citations or notices are to be given by publication within thirty days after the perfection of service by publication; and all cases, whether commenced by summons and complaint, attachment, bill or otherwise, shall be deemed to be triable upon the appearance of the defendant and his pleading, or if he does not appear within thirty days after the publication of service upon him, at the end of such thirty days. All contests of answers of garnishees shall be filed within thirty days after the filing of such answer; and unless the time therefor be extended by the court, the right to contest shall be thereafter waived.

Section 14. Be it further enacted, That every Monday of the term may be the return day for any and all process in said court, both mesne and final; provided, however, that mesne or final process may issue in any cause on application of parties causing such issuance to any return day not exceeding six months after the date of issuance. That all regular and mesne process, notices, citations, and writs of scire facias, shall be executed instanter, and unless otherwise provided by law shall be returned immediately upon the execution thereof by the officer executing the same.

Section 15. Be it further enacted, That all cases brought by appeal or certiorari from justices of the peace or other inferior courts to said court, shall stand for trial at any time after ten days notice of the taking of such appeal shall have been given to the adverse party, as required by law.

Section 16. Be it further enacted, That in all cases at law tried in said court, whether commenced by summons and complaint, attachment or otherwise, the issues and questions of fact shall be tried by the court without the intervention of a jury, unless a jury be demanded by the plaintiff at the commencement of the suit, or by the defendant at the time he appears, or by any person interested in such issue or question at the time he appears; such demand must be made by the plaintiff or party occupying the position of plaintiff, by endorsing the same in writing upon the summons and complaint, attachment, petition, claim or other paper filed by him for the purpose of instituting such suit, or when he intervenes without suing out process, upon the pleadings or paper filed by him for the purpose of presenting such issue or question of fact; and by the defendant or other party occupying the position of defendant, including garnishees, by endorsing such demand in writing upon the demurrer, plea, answer or other pleading filed by him; and when a cause is transferred to said court from the circuit court it shall be tried by the court without a jury unless at the time of agreement made for such transfer a demand for a trial by jury be made in writing and filed in said cause; and in all cases brought by appeal or certiorari from judgments of justices of the peace or other inferior tribunals, the issues and questions of fact shall be tried by the court without a jury, unless a demand for trial by jury be made in writing and filed in the cause by the party taking the appeal at the time he takes the same, or by the opposite party within ten days after he has been served with notice of the appeal; provided, that the judge of said court may order any cause or issue of fact, which by law may be tried by jury, to be so tried by jury.

Section 17. Be it further enacted, That in the trial of any cause at law by said court, without a jury, in addition to the questions which may be, under existing laws, presented to the supreme court of the State for review, either party may by bill of exceptions, also present on appeal for review, the conclusions and judgment of the court upon the evidence, and the supreme court shall review the same without any presumption in favor of the court below on the evidence; and in such case, if they find that there is an error, they shall render such judgment in the cause as the court below should have rendered, or reverse and remand the same, for further proceedings as to the supreme court shall seem right.

Section 18. Be it further enacted, That appeals or writs of certiorari may be taken to said court hereby established from the judgment of justices of the peace or other inferior courts in the county of Mobile in all civil cases in which appeals or writs of certiorari may by law be taken from such judgments to the circuit court of said county, and in the same manner.

Section 19. Be it further enacted, That the supreme court of this State shall have appellate and supervisory jurisdiction over said court and the judge thereof, which may be exercised in the same manner and in the same cases as such jurisdiction may be exercised over the circuit or chancery court or the judges thereof; and appeals may be taken from judgments, orders and decrees of said court to the supreme court in the same manner, within the same time, and in the same cases as appeals are taken from judgments, orders or decrees of the circuit or chancery court to the supreme court.

Section 20. Be it further enacted, That after ten days from the rendition of any judgment or final decree, unless otherwise directed in said judgment or decree, the clerk or register of said court shall issue execution, returnable as hereinbefore provided; provided, however, that nothing herein contained shall prevent any person from having execution issued within said ten days, upon making affidavit as now provided by law, in relation to the issue of execution upon judgments in the circuit

court; and provided further, that nothing contained herein shall prevent the superseding of execution after the issue thereof upon giving supersedeas bond as now required by law.

Section 21. Be it further enacted, That all laws of a general nature now in force or that may hereafter be enacted giving or extending jurisdiction to the circuit and chancery courts, shall be held to extend and apply to said court, although the said court may not be mentioned therein, unless the contrary be expressly provided and unless they are contrary to the provisions of this act.

Section 22. Be it further enacted, That all bills of exception relating to the trial of causes or issues in said court, must be signed by the judge who presides at such trial within thirty days after the day on which was tried the issue or issues of fact to which said bill of exceptions relate, unless the time for signing such bill of exceptions is extended by agreement of parties or by order of said judge as now or may be authorized by law, respecting the signing of bills of exceptions in the circuit court; such extended time shall not extend beyond six months from the date of such trial.

Section 23. Be it further enacted, That final judgments and decrees in said court shall, after the expiration of thirty days from their rendition, be taken and deemed as completely beyond the control of the court, as if the term of said court at which said judgments or decrees are rendered, had ended at the end of said thirty days; provided, however, that nothing herein contained shall prevent parties from applying for a new trial or rehearing within said thirty days, or destroy or change the effect of motions for new trials or rehearings when so made, or shall prevent parties from applying to said court for a rehearing under the statute authorizing applications for rehearing in the circuit court, or shall prevent the court from retrying any cause under section 3341 of the Code of Alabama, or shall prevent the court from exercising any power or jurisdiction conferred upon the circuit court touching final judgments or upon the chancery court touching final decrees.

Section 24. Be it further enacted, That all the witnesses in attendance upon said court must prove their attendance within five days after the termination of the trial of the cause in which they were subpoenaed or called to testify, and unless they prove their attendance within that time, their fee shall not be taxed as costs, nor shall the same be recoverable against either party.

Section 25. Be it further enacted, That the venue in any cause in said court may be changed to other county than Mobile county under the same rules and regulations that govern changes of venue in the circuit courts of the State.

Section 26. Be it further enacted, That the sheriff of said county shall be in person or by deputy required to attend said court, preserve order, and execute and return its process, and perform such other duties, in all respects, as in the circuit and chancery courts of this State, and he shall furnish all subordinate officers that may be necessary to expedite the business of said court the same as he is now required to do under the law governing him as officer of the circuit and chancery courts of this State; the fees of such officers of said court for services rendered, and the compensation of jurors and witnesses therein shall be the same as are or may be allowed for like services in the circuit and chancery courts of this State.

Section 27. Be it further enacted, That the judge of said court hereby established shall be paid out of the State treasury, in monthly installments, the same salary paid during the incumbency of said judge to the chancellors of this State, and in the same manner as such chancellors are paid. The board of revenue and road commissioners of Mobile county, or other body possessing like functions, may provide for the payment, out of the treasury of Mobile county, of an additional compensation to said judge of such an amount that his total compensation shall not exceed five thousand (\$5,000.00) dollars per annum; said addition to the judge's salary shall be fixed before the election for said judge, and shall not be increased or decreased during the term for which said judge may be elected; provided, that the additional compensation of the first incumbent appointed

by the governor may be fixed after his appointment; provided, further, the additional compensation, when once fixed, shall continue until changed by said board in a manner not inconsistent herewith.

Section 28. Be it further enacted, That it shall be the duty of the official court stenographer of Mobile county to attend either in person or by assistant upon said law and equity court whenever required thereto by the presiding judge, and to take stenographic notes of the testimony introduced in trials therein, Whenever his attendance is required at the same time or times in either the city, circuit or probate courts of Mobile, he shall have the right and power to attend in the law and equity court by an assistant qualified and selected as provided by law for such assistant in the circuit or city court of Mobile, for whose services said official stenographer shall be entitled to be paid seven and 50-100 (\$7.50) dollars per day for each day's attendance of said assistant, said compensation for said assistant, if any, to be paid monthly out of the treasury of Mobile county, upon the certificate or order of the clerk of said court, approved by the presiding judge thereof. Said stenographer shall also make typewritten transcripts of said stenographic notes, or any part thereof, on application of any person or persons, for which transcripts he shall receive from such applicant or applicants the same fees fixed by law for like transcripts in the circuit court of Mobile.

Section 29. Be it further enacted, That all laws and parts of laws in conflict with this act be, and the same are hereby repealed.

The State of Alabama, }
Mobile County. }

Personally appeared before me, R. T. Ervin, a notary public, in and for said State and county, Thomas B. Allman, who being duly sworn, says on oath, that he is the cashier of the Mobile Daily Herald, a newspaper published in Mobile, Alabama; that the attached notice was published in the said Mobile Daily Herald on May 30th, June 6th, 13th and 20th, 1907. Thomas B. Allman.

Subscribed and sworn to before me this 5th day of
July, 1907.

R. T. Ervin,
Notary Public, Mobile County, Alabama.

NOTICE

Is hereby given of the intention to apply to the Legislature of Alabama for the passage of a local or special law creating a court of record for Mobile county, to be known as the law and equity court of Mobile; to fix the jurisdiction of said court; to provide for the time and place of holding the sessions thereof; to provide the method of selecting a judge and other officers for said court, and to fix their powers, duties and compensations; to provide for the pleadings and practice therein and appeals to and from said court, and for the transfer of cases to and from said court; to prescribe the powers of the judge of said court; and to provide for the issuance and return of all mesne and final process from and to said court.

By Mr. Price, (with notice and proof) :

H. 1009. To authorize the county of Russell to borrow money not exceeding the current revenue of said county for any one year, in the discretion of the court of county commissioners of said county.

Municipal Organization.

Notice and Proof. H. 1009.

The State of Alabama, }
Russell County. }

Before me, R. H. Holland, register in chancery, in and for said county, personally appeared W. H. Chadwick, who, being duly and legally sworn, deposes and says that he is one of the editors and proprietors of the Russell Register, a newspaper published in Russell county, Alabama, and which is published weekly, that the notice, a copy of which is hereto attached, was inserted in and published in said Russell Register once a week for four consecutive weeks since the fifteenth day of February, 1907, and prior to this date.

W. H. Chadwick.

Sworn to and subscribed to before me on this the 6th day of July, 1907.

R. H. Holland,
Register in Chancery.

NOTICE.

To whom it may concern:

Notice is hereby given that at the present session of the Legislature of Alabama a bill will be introduced, the substance of which will be to authorize the county of Russell to borrow money, not exceeding the current revenue of said county per annum, in the discretion of the court of county commissioners of said county. Also, at the next session of the Legislature of Alabama, will be introduced a bill to ratify and confirm the prior acts of the court of county commissioners, or other authorized agents of the county in borrowing money and to confirm and ratify the warrants given for money so borrowed.

H. T. Benton,
Probate Judge.

By Mr. Price, (with notice and proof):

H. 1010. To ratify and confirm the acts and contracts of the court of county commissioners of Russell county, or other authorized agents of said county, in borrowing money for the use and benefit of said county and to ratify and confirm the warrants given on said contracts for money so borrowed.

Municipal Organization.

Notice and Proof. H. 1010.

The State of Alabama, }
Russell County. }

Before me, R. H. Holland, register in chancery, in and for said county, personally appeared W. H. Chadwick, who, being duly and legally sworn, deposes and says that he is one of the editors and proprietors of the Russell Register, a newspaper published in Russell county, Alabama, and which is published weekly, that the notice, a copy of which is hereto attached, was inserted in and published in said Russell Register, once a week for four consecutive weeks, since the 15th day of February, 1906, and prior to this date.

W. H. Chadwick.

Sworn to and subscribed to before me this the 6th day of July, 1907.

R. H. Holland,
Register in Chancery.

NOTICE.

To whom it may concern :

Notice is hereby given that at the present session of the Legislature of Alabama, a bill will be introduced, the substance of which will be to authorize the county of Russell to borrow money, not exceeding the current revenue of said county per annum, in the discretion of the court of county commissioners of said county.

Also, at the next session of the Legislature of Alabama, will be introduced a bill to ratify and confirm the prior acts of the court of county commissioners or other authorized agents of the county, in borrowing money and to confirm and ratify the warrants given for money so borrowed.

H. T. Benton,
Probate Judge.

By Mr. Pearson :

H. 1011. To provide for the payment of sheriffs of the State of Alabama for waiting on the various courts of the State.

Judiciary.

By Mr. Pearson, (with notice and proof) :

H. 1012. For the relief of Mary A. Galloway, widow of an ex-confederate soldier, being a resident of Shelby county, Alabama.

Appropriations.

Notice and Proof. H. 1012.

PROOF OF PUBLICATION.

H. E. Whitaker, being duly sworn, says he is publisher of the Columbiana Sentinel, a weekly paper published in Columbiana, Shelby county, Alabama, and that the attached notice was published in said Columbiana Sentinel, for four successive weeks, bearing dates February 14, 21, 28, and March 7, 1907.

(Signed)

H. E. Whitaker,
Editor Columbiana Sentinel.

Sworn and subscribed before me this 30th day of March, 1907.

Wales W. Wallace,
Notary Public.

NOTICE.

Notice is hereby given that a bill be introduced in the Legislature asking an appropriation of \$30.00 to Mrs. Mary A. Galloway, of Shelby county, as a confederate pensioner for the year 1905, her name having been erroneously omitted from the list of pensioners for that year. This 8th day of February, 1907.

R. E. Galloway.

By Mr. Pearson, (with notice and proof) :

H. 1013. To provide for the payment out of the county treasury of Shelby county, Alabama, the sum of \$336.91 as the salary or compensation and expenses of the State examiner while engaged in making an examination of books and accounts of the various county officers of said county of Shelby as they pertain to the county affairs and to make said claim a preferred claim against said treasury.

Appropriations.

Notice and Proof. H. 1013.

NOTICE.

Notice is hereby given that a bill will be introduced in the present session of the Legislature of Alabama, upon its reassembling after the pending recess, providing for the payment out of the county treasury of Shelby county, Alabama, the sum of \$336.91 or so much thereof as may be necessary as salary or compensation and expenses of the State examiner while engaged in making the recent examination of the books and accounts of the various officials of the said county of Shelby, as they pertain to the county affairs and to make said claim a preferred claim against said treasury of said county, and providing for its payment.

Said examination beginning on the 26th day of March and ending on the 7th day of June, 1907.

This June 4th, 1907.

The State of Alabama, }
 Shelby County. }

I, J. A. MacKnight, hereby certify that I am editor and proprietor of the Columbiana Sentinel, a newspaper published in Shelby county, Alabama, that the hereto attached notice was published in said newspaper for four consecutive weeks, and the said issues in which said notice was published being the ones dated June 6th, June 13th, June 20th, June 27th, 1907.

J. A. MacKnight,
 Editor and Proprietor.

Sworn to and subscribed before me on this the 28th day of June, 1907.

J. R. White,
 Register in Chancery.

By Mr. Pearson, (with notice and proof) :

H. 1014. To repeal section four of an act entitled "To regulate and prescribe the manner of electing county commissioners in Pike, Bullock, Washington, Baldwin, Butler, Choctaw, Fayette, Shelby, DeKalb and Pickens counties" approved Jan. 30th, 1903, so far as the same relates to Shelby county, Ala., and to prescribe the manner of electing commissioners in said county.

Revision of Laws.

Notice and Proof. H. 1014.

J. A. MacKnight being duly sworn says he is publisher of the Columbiana Sentinel, a weekly paper published in Columbiana, Shelby county, Alabama; that the attached notice was published in said paper for four (4) successive weeks.

J. A. MacKnight, Editor.

Subscribed and sworn to before me this June 15th, 1907.

Hoziah Pearson,
 Justice of the Peace.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at the July session, 1907, to repeal section four of an act entitled an act to regulate and prescribe the manner of electing county commis-

sioners in Pike, Bullock, Washington, Baldwin, Butler, Choctaw, Fayette, Shelby, DeKalb and Pickens counties, approved January 30th, 1903. So far as the same relates to Shelby county, Alabama, and to prescribe the manner of electing commissioners in said Shelby county.

Hoziiah Pearson,

Representative of Shelby County.

By Mr. Pearson, (with notice and proof):

H. 1015. To amend section 2 of an act to establish a charter for the city of Vincent, in Shelby county, Alabama, (which said section fixes the corporate limits of the town of Vincent in Shelby county, Alabama), approved February 16, 1897.

Municipal Organization.

Notice and Proof. H. 1015.

Notice is hereby given that the following bill will be introduced in the Legislature of Alabama upon its re-assembling after the pending recess:

A BILL

To be entitled an act to amend section 2 of an act to establish a charter for the city of Vincent, in Shelby county, Alabama, (which said section fixes the corporate limits of the town of Vincent in Shelby county, Alabama), approved February 16, 1897.

Section 1. Be it enacted by the Legislature of Alabama, That section 2 of an act to establish a charter for the city of Vincent, in Shelby county, Alabama, approved February 16, 1897, be and the same is hereby amended so as to read as follows:

Section 2. Be it further enacted, That the corporate limits of Vincent shall embrace an area including all the territory within two and one-half miles of the present depot of the Central of Georgia Railway at Vincent in said town, extending in all directions one and one-half miles from said depot; provided, such corporate limits shall not embrace or include any territory lying south and east of a line running parallel with and 850 yards northwest of the center line of the Atlanta, Birmingham & Atlantic railroad as the same is now surveyed, located

and graded; and provided, further, that such corporate limits shall not embrace or include any of the following described lands, to-wit: the north-west quarter of the south-west quarter of section 2; the south-east quarter; the east half of the south-west quarter and the south-west quarter of the south-west quarter of section 14, and the north-east quarter of the north-west quarter and the north-west quarter of the north-east quarter of section 23, all in township 19, range 2 east, in Shelby county, Alabama, and known as the Fitch lands.

Section 2. Be it further enacted, That all laws and parts of laws in conflict with this act be, and the same are, hereby repealed.

This 13th day of May, 1907.

Office of The People's Advocate.

I, J. Frank Norris, publisher of the Peoples' Advocate, a newspaper published in the town of Columbiana, Ala., Shelby county, do solemnly swear that the notice attached, "A Bill," has been published 4 consecutive weeks commencing on May 16, 1907, and ending on June 20th, 1907, in said The Peoples' Advocate.

J. Frank Norris,
Publisher of The Peoples' Advocate.

Sworn to and subscribed before me this 19th day of June, 1907.

A. P. Longshore,
Judge of Probate of Shelby County, Ala.

By Mr. Moore, (with notice and proof):

H. 1016. To repeal an act entitled "An act to establish, maintain and regulate a dispensary in the town of Ragland, in St. Clair county, Alabama, for the sale of spirituous and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors, and to create a board of directors for the purpose of better controlling and managing the sale of spirituous, and vinous liquors, malt liquors, wines, ciders, and other intoxicating liquors and for other purposes."

Temperance.

Notice and Proof. H. 1016.

NOTICE.

Notice is hereby given that the undersigned bill affecting the people of St. Clair county, Alabama, will be introduced at the July session of the Legislature of Alabama:

AN ACT

To repeal an act entitled "An act to establish, maintain and regulate a dispensary in the town of Ragland, in St. Clair county, Alabama, for the sale of spirituous, and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors and to create a board of directors for the purpose of better controlling and managing the sale of spirituous and vinous liquors, malt liquors, wines, ciders, and other intoxicating liquors and for other purposes."

Section 1. Be it enacted by the Legislature of Alabama, That an act approved September 18, 1903, to establish, maintain and regulate a dispensary in the town of Ragland, in St. Clair county, Alabama, for the sale of spirituous and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors, and to create a board of directors for the purpose of better controlling and managing the sale of spirituous and vinous liquors, malt liquors, wine liquors and for other purposes, be and the same is hereby repealed.

J. W. Moore.

The State of Alabama, }
Saint Clair County. }

Personally appeared before me, Victor H. Smith, a notary public in and for said State and county, W. A. Starns, who being by me first duly sworn, deposes and says; that he is the publisher of the Pell City Times, a newspaper published in Pell City, St. Clair county, Alabama; and that the foregoing and attached bill was published in said newspaper once per week for four consecutive weeks before the making of this affidavit.

W. A. Starns.

Subscribed and sworn to before me, this the 8th day
of July, 1907.

Victor H. Smith,
Notary Public.

By Mr. Lawson, (with notice and proof) :

H. 1017. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads, and the necessary bridges, culverts and drainways therefor, and to issue bonds of said county to aid in the construction and building thereof.

Public Roads and Highways.

Notice and Proof. H. 1017.

NOTICE.

Is hereby given that application will be made to the legislature of Alabama, at its adjourned sitting in July, 1907, for the enactment into law of a bill to be entitled: "An act to authorize Talladega county, Alabama, to build and construct, macadam, chert and gravel public roads, and the necessary bridges, culverts and drainways therefor and to issue bonds for said county to aid in the construction and building thereof."

The said proposed act in substance provides for the appointment by the governor of a road commission consisting of three resident citizens of the county one of whom shall be the president of said board or commission, which shall have charge of the building and construction of said roads, or parts of public roads to be built, changed or re-located and the character of road, whether macadam, chert or gravel shall be, at the direction of said board, and built for the best interests of the general public and not confined to any one line of road, or to any particular part of the county.

That for the purpose of carrying out the purposes of said act, the county shall be authorized through its court of county commissioners to issue thirty year bonds, bearing interest at not exceeding 5 per cent per annum, payable semi-annually at a bank or banking house in the cities of Talladega and Birmingham, Alabama, and New York, State of New York, the issuance

and sale of said bonds to be contingent on an election to be held in the county of Talladega of a majority of the qualified electors of said county, voting at said election, voting in favor of the issuance of said bonds in the amount of \$250,000.00. The said election to be held, not earlier than the latter part of the year 1908; that if, at such election, a majority of the qualified electors of said county voting thereat shall be against the issuance of said bonds, then this proposed act shall not be operative and no bonds issued. Said bonds, if issued, to be redeemable at the option of the court of county commissioners after twenty years from issuance.

The said bill further provides that the said commission or board shall employ an engineer to re-locate or change present roads and to give the grade thereof, and place the same on the best ground for permanence, ease of repair and with the best drainage. That said commission shall let contracts after due notice to the lowest responsible bidders, taking bonds from contractors to secure the faithful performance of contracts; that when no contract is bid for, or the bid is unreasonable and rejected, the commission may have the work done to the best advantage, at their discretion, no member of the commission to be a contractor or in any way interested in a road building contract.

The president of the commission shall be the custodian of the funds arising from the sale of said bonds to the extent of \$25,000.00 only at one time, and shall give bond approved by the judge of probate in the sum of \$25,000.00 conditioned as the bond of the county treasurer and payable to Talladega county.

The president and each of the other commissioners of the said board to give bond to the amount of \$1,000.00 or payable to the county, conditioned for the faithful performance of his duties. The said commission may acquire by purchase or agreement with the owners of right of way and material such as beds of stone, chert or ground for the construction and buildings of public roads and may acquire the same by condemnation proceedings as now provided by article 1, chapter 42, of the Code of 1896, amended by act of October 1st, 1903. The

bonds to be issued shall be 500 in number and for \$500.00 each to be signed and sealed by the judge of probate and countersigned by the county treasurer, and shall bear interest from the date of issue, and issued from time to time as the money may be required, to the extent of \$25,000.00.

The said bonds to have interest coupons attached, payable at the places designated in the face of said bond. The court of county commissioners may employ an agent to negotiate the sale of said bonds, and shall have the right to apply surplus revenue of said county to the purchase of said bonds in the open market and retire the same, making full record thereof.

The said court of commissioners shall annually set apart from the general revenue of said county an amount sufficient to pay the annual and semi-annual interest accruing on said bonds and at the expiration of 20 years from the issuance of said bonds, shall set apart out of the revenue of said county an amount not less than one sixth part thereof for the payment of the interest on said bonds; and any surplus thereof to the payment thereof, and the retirement of said bonds.

The said commission shall have a regular meeting once every three months, and called meetings when the exigencies require. The said commission shall keep a record of all its proceedings, taking vouchers for all sums paid out, and make report each quarter to, and settlement every six months with the court of county commissioners.

The president shall receive \$4.00 per day, and the associates \$3.00 each per day, while in the actual discharge of their duties, as such board; and the president shall receive one-eighth of one per cent, of the monies received by him as custodian. The bonds issued by the county under this act shall be exempt from taxation by Talladega county or the municipalities thereof.

This act shall not be construed as amending or repealing the existing road laws of Talladega county.

The State of Alabama, }
 Talladega County. }

Personally appeared before me, J. E. Camp, judge of probate in and for said county, E. L. C. Ward, who being duly sworn according to law deposes and says that he is the publisher of the Talladega Reporter, a newspaper published in said county, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues thereof dated as follows: June 8, 1907, June 15, 1907, June 22, 1907 and June 29, 1907.
 E. L. C. Ward.

Subscribed and sworn to before me this 6th day of July, 1907.

J. E. Camp,
 Judge of Probate.

By Mr. Lawson, (with notice and proof):

H. 1018. To authorize an election in the county of Talladega to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

Privileges and Elections.

Notice and Proof. H. 1018.

NOTICE

Is hereby given that application will be made to the Legislature of Alabama at its adjourned sitting in July, 1907, for enactment into law of the following, viz.: A bill to be entitled an act to authorize an election in the county of Talladega, to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

Sec. (1) Be it enacted by the Legislature of Alabama, That in order to ascertain the will of a majority of the qualified electors of Talladega county as to whether or not bonds shall be issued by said county, in the sum of

two hundred and fifty thousand dollars, for the said purpose of macadam, chert and gravel public roads in said county, it is hereby enacted, that upon the filing of a petition with the court of county commissioners of said county, not earlier than the November term, 1908, of said court, signed by not less than two hundred and fifty of the qualified electors of said county, praying for such election that the said court of county commissioners of said county shall thereupon by order entered upon the minutes of said court appoint a day not less than thirty days from the making of such order, for election to be held at the several polling places in said county, at which all the qualified electors of said county shall be entitled to vote, and shall give notice of the time and places for holding such election and the purpose thereof, by publication in some newspaper published in the county for three consecutive weeks.

Sec. (2) Be it further enacted that said election shall be conducted as near as may be provided by law for holding of general elections; the ballots to be voted to have printed thereon "for bonds" and "against bonds" in separate lines, the preference of the elector to be manifested by making a cross mark before the words "for bonds" or "against bonds" as he may determine.

Sec. (3) Be it further enacted, That the returns of said election shall be made to the sheriff of said county, and the same shall be canvassed by the judge of probate, circuit clerk and sheriff of said county, and the result certified to the court of county commissioners of said county, either at the next regular meeting, or at a meeting of said court called for that purpose, by the judge of probate.

Sec. (4) Be it further enacted, That if a majority of the votes cast at such election, shall be "against bonds" an entry to that effect shall be entered upon the minutes of said court. Should a majority of the votes cast at said election be "for bonds" then full entry of that fact, together with the petition for election, the orders of the court thereon, the returns of the election as tabulated by the board of canvassers, shall be entered of record on the minutes of the court, and such other proceedings had as may be provided by law for the issuance and

sale of said bonds and the appropriation of the proceeds thereof, for the purpose set forth. Provided that this act shall be inoperative and of no effect unless a bill to be entitled "An act to authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads and the necessary bridges, culverts and drainways therefor and to issue bonds of said county to aid in the construction thereof" shall be enacted into law.

Sec. (5) Be it further enacted, That the expenses of any election under this act shall be paid by the county of Talladega, upon the order of the court of county commissioners.

The State of Alabama, }
Talladega County. }

Personally appeared before me, J. E. Camp, judge of probate in and for said county, E. L. C. Ward, who being duly sworn according to law deposes and says that he is the publisher of the Talladega Reporter, a newspaper published in said county, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues thereof dated as follows: June 8, 1907, June 15, 1907, June 22 1907, and June 29, 1907.

E. L. C. Ward.

Subscribed and sworn to before me this 6th day of July, 1907.

J. E. Camp,
Judge of Probate.

By Mr. Lawson, (with notice and proof) :

H. 1019. To fix the salary of the judge of the city court of Talladega county, and to provide for payment of same.

Judiciary.

Notice and Proof. H. 1019.

APPLICATION FOR LOCAL LAW.

Notice is hereby given that application will be made to the Legislature of Alabama at its adjourned meeting

for the enactment into law of a bill to be entitled: An act to fix the salary of the judge of the city court for Talladega county and to provide for payment of the same as follows:

Section 1. Be it enacted by the Legislature of Alabama, That the salary of the judge of the city court for Talladega county be and the same is hereby fixed at two thousand seven hundred dollars per annum, and that the same shall be paid as now provided by law.

June 5, 1907.

The State of Alabama, }
Talladega County. }

Personally appeared before me, the judge of probate in and for said county, Jno. C. Williams, who being duly sworn according to law, deposes and says that he is the publisher of the Our Mountain Home, a newspaper published in said county, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues thereof dated as follows: June 5th, 1907; June 12th, 1907; June 19th, 1907; and June 26th, 1907.

Jno. C. Williams.

Subscribed and sworn to before me this 3rd day of July, 1907.

J. E. Camp,
Judge of Probate.

By Mr. Sanford:

H. 1020. To amend section sixteen (16) of an act entitled an act, to authorize the court of county commissioners or board of revenue or court of like jurisdiction in the several counties of the State, to cause elections to be held in such counties, or parts thereof, for the establishment of separate stock districts, the suspension of the same, and to cause elections to be held for the repeal of and regulate the same," approved September 29th, 1903.

Local Legislation.

By Mr. Sanford:

H. 1021. To provide for the compensation of any attorney appointed by the court, or trial judge, in the circuit courts, or courts of concurrent jurisdiction, to represent persons charged with a capital offense and regulating the manner of its payment.

Judiciary.

By Mr. Sanford:

H. 1022. To appropriate the sum of two thousand nine hundred and thirty-nine and 65-100 (\$2,939.65) dollars for making necessary repairs on and to the building of the fourth district agricultural school, located at Sylacauga, Talladega county, Alabama, the main building of said school building being greatly in need of repairs.

Appropriations.

By Mr. Bulger, (with notice and proof) :

H. 1023. For the relief of J. S. Baker, a confederate pensioner of Tallapoosa county, Alabama.

Appropriations.

Notice and Proof. H. 1023.

The State of Alabama, }
Tallapoosa County. }

Before me, P. S. Christian, a justice of the peace in and for said State and county, personally appeared F. O. Hooton, who being by me first duly sworn, says on oath that he is the proprietor and editor of the Alexander City Outlook, a weekly newspaper published at Alexander City in said county and State, that the above and foregoing notice which is attached to this affidavit was published in said Alexander City Outlook once a week for four consecutive weeks.

F. O. Hooton.

Subscribed and sworn to before me this the 25th day of June, 1907.

T. S. Christian,
Justice of the Peace, Tallapoosa County, Ala.

NOTICE.

Is hereby given that I will apply to the Alabama Legislature for the passage of a law providing that J. S. Baker, who is a citizen of Tallapoosa county, who was a confederate soldier, who was on the pension rolls in this State, and drew a pension up to and including the year 1905, and who by mistake, without his knowledge or consent, was reported dead, dropped from the roll and failed to draw his pension in 1906, be paid a pension of \$30.00 out of the State treasury.

April 18, 1907.

Thos. L. Bulger.

By Mr. Bulger :

H. 1024. To provide for the assessment and collection of taxes on the cotton mills or factories in this State, heretofore exempt from taxation, and whose time of exemption expired on February thirteenth, 1907.

Ways and Means.

By Mr. Foster :

H. 1025. To amend an act to provide for the inspection of jails and alms-houses and cotton mills or factories, approved March 4, 1907, by adding section 2, to provide for a clerk to the inspector and for office expenses of the inspector.

Penitentiary and Criminal Administration.

By Mr. Foster :

H. 1026. To require the heads of all schools in this State to make annual reports to the State superintendent of education.

Education.

By Mr. Foster :

H. 1027. To require in certain cases a portion of the net earnings of convicts to be expended for the support of their dependent families.

Penitentiary and Criminal Administration.

By Mr. Foster:

H. 1028. To repeal section 22 of an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

Ways and Means.

By Mr. Foster:

H. 1029. To provide for incorporating educational societies, and to define the rights, privileges and immunities thereof.

Corporations.

By Mr. Cranford, (with notice and proof):

H. 1030. To amend sections two, twenty-seven and thirty-three of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900, and to amend section one of an act approved February the fifteenth, 1901, entitled an act to amend sections eight, nine and twenty-six of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900.

Judiciary.

Notice and Proof. H. 1030.

The State of Alabama, }
Walker County. }

Before me, T. L. Sowell, judge of the Walker county law and equity court, in and for said State and county, personally appeared James A. Gunter, who being duly sworn, on oaths says that he is the publisher of the "Mountain Eagle", a newspaper published in Jasper, Walker county, Alabama, and that the attached notice was published in said "Mountain Eagle" for four consecutive weeks commencing on the 5th day of June and ending on the 3rd day of July, 1907.

James R. Gunter.

Sworn to and subscribed before me this 5th day of July, 1907.

T. L. Sowell,

Judge of Walker Co. Law and Equity Court.

NOTICE.

There will be introduced at the adjourned session of the Legislature of Alabama, which convenes July 9th, 1907, a bill substantially as follows:

A BILL

To be entitled "An act to amend sections two, twenty-seven and thirty-three of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900, and to amend section one of an act approved February the 15th, 1901, entitled an act to amend sections eight, nine and twenty-six of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900.

Section 1. Be it enacted by the Legislature of Alabama, That section two of an act entitled an act to establish the Walker county law and equity court be amended so as to read as follows, to-wit:

Section 2. Be it further enacted, That a judge for said court shall be elected by the Legislature of Alabama in a joint session within fifteen days after the approval of this act, whose term of service shall continue until November the 3rd, 1908. At the general election in November, 1908, and every six years thereafter, the judge of said Walker county law and equity court shall be elected by the qualified voters of the county of Walker, whose term of service shall be six years from the 1st day of December, next, after said election and until his successor qualifies. The judge so elected by the Legislature and by the people as herein provided, shall take the oath of office required by law to be taken by the judge of the circuit court. The judge of said court at the time of his election shall have been a citizen of the State of Alabama and the county of Walker for a period of two years next preceding his election, over the age of thirty years, and shall be learned in the law, and during his continuance in office as such judge shall reside in the county of Walker. The judge of said court shall take the oath

of office required by law to be taken by judges of the circuit courts before entering upon his duties pertaining to said office; and may be impeached or removed from office, for the same causes by the same tribunals and in the same manner as is provided by law for the impeachment or removal from office of judges of circuit courts, such judges shall have and exercise all the jurisdiction and powers which are now, or may hereafter be, lawfully exercised by judges of the circuit court, chancellors and judges of the county courts of this State, including authority to issue writs of habeas corpus, or injunction, prohibition, ne exeat, and all other writs which are now, or may hereafter be lawfully issued by judges of the circuit court, chancellors, and judges of county courts of this State. Vacancies in the office of judge shall be filled by the governor, and any person appointed to fill an unexpired term shall continue in office until his successor is elected and qualified.

Section 2. Be it further enacted, That section twenty-seven of said act be amended so as to read as follows, to-wit:

Section 27. Be it further enacted, That the judge of said court herein established shall receive as a salary the same amount per annum, as the other circuit judges of the State of Alabama, and paid at the same time and in the same manner as the said other judges.

Section 3. Be it further enacted, That section thirty-three of said act be amended so as to read as follows, to-wit:

Section 33. Be it further enacted, That in all civil cases commenced in said court by summons and complaint, or by attachment upon the appearance of the defendants in said cause, the same shall be set down for settling the pleadings and after pleadings have been settled, the same must be tried upon the issues therein formed. Provided, however, that the judge of said court may allow amendments to the complaint or other pleadings, after the same have been settled, upon such terms as in the discretion of the court may seem just in the premises, and upon the allowance of such amendment,

the other party shall, as a matter of right, be entitled to a continuance.

Section 4. Be it further enacted, That section one of an act approved February the 15th, 1901, entitled an act to amend sections eight, nine and twenty-six of an act to establish the Walker county law and equity court, approved December the 5th, 1900, be amended so as to read as follows:

Section 1. Be it enacted by the General Assembly of Alabama, That section eight of an act entitled an act to amend sections eight, nine and twenty-six of an act entitled an act to establish the Walker county law and equity court, approved December the 5th, 1900, be amended so as to read as follows:

Section 8. Be it further enacted, That in the trial of every case, both civil and criminal, on complaint or indictment, of which this court has jurisdiction, each and every person or party to said cause shall be entitled to a trial by jury. Provided, that in misdemeanor cases said court shall try both the law and the facts, except when a trial by jury is demanded by defendant, in writing and filed with the clerk of said court within twenty days after he is arrested or taken into custody.

By Mr. Cranford, (with notice and proof):

H. 1031. To amend section 2038 of the Code of Alabama, of 1896, and all acts amendatory thereof in so far as the same applies to Walker county.

Revision of Laws.

Notice and Proof. H. 1031.

AN ACT

Notice is hereby given that a bill will be introduced at the next session of the Legislature of Alabama, in substance as follows:

Be it enacted by the Legislature of Alabama, That section 2038 of the Code of Alabama of 1896 and all acts amendatory thereof be and the same is hereby repealed in so far as the same applies to Walker county, Alabama.

G. L. Wakefield.

May 13th, 1907.

The State of Alabama, }
Walker County. }

Before me, Zac P. Shepherd, a notary public, in and for said county, on this day personally appeared W. R. Richardson, who being by me first duly sworn, deposes and says, that the above and foregoing notice hereto attached and made a part of this affidavit, was published for thirty days prior to this date in the Mountain Eagle, a weekly newspaper published in Walker county, Alabama, by being inserted in each copy of said paper from April 10th, 1907, to this date.

W. R. Richardson.

Sworn to and subscribed before me this the 13th day of May, 1907.

Zac P. Shepherd,

Notary Public in and for Walker County, Alabama.

By Mr. Edwards, (with notice and proof):

H. 1032. To provide for an official short-hand reporter for the thirteenth judicial circuit, to prescribe the qualifications, term of office and duties of such reporter and to fix his compensation and fees.

Judiciary.

Notice and Proof. H. 1032.

The State of Alabama, }
Baldwin County. }

Personally appeared before me, Leslie Hall, a notary public in and for the State and county aforesaid, W. C. Dinwiddie, who on oath deposes and says that he is the publisher of the Baldwin Times; that said Baldwin Times is a newspaper, regularly published in Baldwin county, Alabama; that the subjoined notice was published in said newspaper once each week for four consecutive weeks, as required by section 106 of the constitution, that is to say, May 16, 1907, May 23, 1907, May 30, 1907 and June 6, 1907.

W. C. Dinwiddie.

Subscribed and sworn to before me this 3rd day of July A. D., 1907.

Leslie Hall,

Notary Public, Baldwin County, Ala.

NOTICE.

Is hereby given of the intention to apply to the Legislature for the passage of a local or special law, the substance of such law being to provide for an official shorthand reporter for the thirteenth judicial circuit, to prescribe the qualifications, oath and term of office of such reporter; to provide for attendance at the various terms of the circuit court in said circuit and the taking of official stenographic notes of the oral proceedings in cases tried therein, and the furnishing of a certified typewritten transcript of such stenographic notes to any party applying for the same upon the payment of legal fees; to provide for the preservation of the stenographic notes and to defray the expenses of attendance and as compensation, a monthly salary, to be paid as follows: Thirty-five dollars per month by the county of Washington; thirty-five dollars per month by the county of Baldwin; and one hundred and twenty-five dollars per month by the county of Mobile, the same to be paid by the counties on the first days of each month from and after the approval of the law.

The State of Alabama, }
 Washington County. }

Personally appeared before me, S. Earl McGlathery, a notary public, in and for the State and county aforesaid; W. A. Moseley, who on oath deposes and says that he is the publisher of the Washington News; that the Washington News is a newspaper published regularly in the county of Washington, Alabama; that the subjoined notice was regularly published in said newspaper once each week for four consecutive weeks as required by section 106 of the constitution; that is to say:

NOTICE.

Is hereby given of the intention to apply to the Legislature for the passage of a local or special law, the substance of such law being to provide for an official shorthand reporter for the thirteenth judicial circuit, to pre-

scribe the qualifications, oath and term of office of such reporter; to provide for attendance at the various terms of the circuit court in said circuit and the taking of official stenographic notes of the oral proceedings in cases tried therein, and the furnishing of a certified typewritten transcript of such stenographic notes to any party applying for the same upon the payment of legal fees; to provide for the preservation of the stenographic notes and to defray the expenses of attendance and as compensation, a monthly salary, to be paid as follows: Thirty-five dollars per month by the county of Washington; thirty-five dollars per month by the county of Baldwin; and one hundred and twenty-five dollars per month by the county of Mobile, the same to be paid by the counties on the first days of each month from and after the approval of the law.

W. A. Moseley.

Subscribed and sworn to before me this the 1st day of July, 1907.

S. Earle McGlatherty,

Notary Public, Washington County, Ala.

The State of Alabama, }
Mobile County. }

Personally appeared before me, S. H. Smith, clerk of the circuit court of Mobile, Thos. B. Allman, who being by me first duly sworn, deposes and says that he is the cashier of the Herald Publishing Company; that said company publishes the Mobile Daily Herald, a newspaper in the city and county of Mobile, and the following was published in said newspaper once a week for four consecutive weeks, viz.:

NOTICE.

Is hereby given of the intention to apply to the Legislature for the passage of a local or special law, the substance of such law being to provide for an official shorthand reporter for the thirteenth judicial circuit, to prescribe the qualifications, oath and term of office of such reporter; to provide for attendance at the various terms

of the circuit court in said circuit and the taking of official stenographic notes of the oral proceedings in cases tried therein, and the furnishing of a certified typewritten transcript of such stenographic notes to any party applying for the same upon the payment of legal fees; to provide for the preservation of the stenographic notes and to defray the expenses of attendance and as compensation, a monthly salary, to be paid as follows: Thirty-five dollars per month by the county of Washington; thirty-five dollars per month by the county of Baldwin; and one hundred and twenty-five dollars per month by the county of Mobile, the same to be paid by the counties on the first days of each month from and after the approval of the law.

Thos. B. Allman.

Subscribed and sworn to before me this 1st day of July, A. D., 1907.

S. H. Smith,

Clerk of the Circuit Court of Mobile.

By Mr. Bloch, (with notice and proof):

H. 1033. Providing for the more efficient working of the public roads in Wilcox county; to provide for the revenue for the same, including a vehicle license; to divide the county into five road districts; and to appoint and elect road supervisors and overseers for the same; to provide for the appointment of one civil engineer; to provide for a commutation of \$7.50 per capita in lieu of work; and such other details as may be necessary for the working of the public roads in Wilcox county.

Public Roads and Highways.

The State of Alabama, }
Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said county, J. R. Foster, who is the publisher of the Wilcox Banner, a newspaper published at Camden, Wilcox county, Alabama, and who deposes and says that the notice attached hereto was published in the Wilcox Banner for four consecutive weeks, as required by law.

J. R. Foster.

Sworn to and subscribed before me, this 5th day of
July, 1907.

Francis M. Purifoy,
Justice of the Peace.

Notice is hereby given that a bill will be introduced in the next session of the Legislature of Alabama, providing for the more efficient working of the public roads in Wilcox county; to provide for the revenue for the same including a vehicle license; to divide the county into five districts and to appoint and elect supervisors and overseers for same; to provide for the appointment of one civil engineer, to provide for the commutation of \$7.50 per capita in lieu of work; other details as may be necessary for the working of the roads for Wilcox Co.

By Mr. Bloch, (with notice and proof) :

H. 1034. To amend section 2 of an act, entitled an act to amend an act, entitled an act, to establish, maintain and regulate a dispensary in the town of Camden, Wilcox county, Alabama, for the sale of spirituous, vinous and malt liquors, approved September 23, 1903, so as to provide that the one-fourth of the net proceeds of said dispensary, shall be appropriated to the public road fund for Wilcox county, and providing for the election by the mayor and board of aldermen of the town of Camden, Alabama, for a cashier to issue checks for the purchase of liquors in said dispensary.

Temperance.

Notice and Proof. H. 1034.

The State of Alabama, }
Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said county, J. R. Foster, who is the publisher of the Wilcox Banner, a newspaper published at Camden, Wilcox county, Alabama, and who deposes and says that the notice attached hereto was published in the Wilcox Banner for four consecutive weeks, as required by law.

J. R. Foster.

Sworn to and subscribed before me, this 5th day of July, 1907.

Francis M. Purifoy,
Justice of the Peace.

Notice is hereby given, that a bill will be introduced at the ensuing session of the Legislature to amend section 2 of an act, entitled an act to amend an act, entitled an act to establish, maintain and regulate a dispensary in the town of Camden, Wilcox county, Ala., for the sale of spirituous, vinous and malt liquors approved Sept. 23, 1903, so as to provide that the one-fourth of the net proceeds of said dispensary, shall be appropriated to the public road fund for Wilcox county.

And to add section 7 to said act, providing for the election by the mayor and board of aldermen of the town of Camden, Ala., for a cashier to issue checks for the purchase of liquors, in said dispensary.

By Mr. Bloch, (with notice and proof):

H. 1035. To provide for the election of a county solicitor for Wilcox county, to define his duties and fix his compensation.

Judiciary.

Notice and Proof. H. 1035.

The State of Alabama, }
Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said State and county, J. R. Foster, who is the business manager of the Wilcox Banner, a newspaper published at Camden, Alabama, Wilcox county, and who deposes and says that the notice hereto attached was published in the Wilcox Banner for four consecutive weeks, as required by law.

J. R. Foster.

Subscribed and sworn to before me this 3 day of July, 1907.

Francis M. Purifoy,
Justice of the Peace, Wilcox County, Ala.

Notice is hereby given that a bill will be introduced in the next Legislature of Alabama to create the office

of county solicitor of Wilcox county, to define his qualifications and duties, to fix his salary at \$1,000 per annum, to provide for his election in 1910, and empower the circuit solicitor to appoint until said election.

By Mr. Bloch, (with notice and proof) :

H. 1036. To ratify and confirm and legalize all warrants heretofore issued by the court of county commissioners of Wilcox county, for the use and benefit of the underwriters of the Camden branch of the Louisville and Nashville Railroad.

Corporations.

Notice and Proof. H. 1036.

A bill will be introduced at the ensuing session of the Legislature of Alabama, to ratify and confirm all warrants heretofore issued by the court of county commissioners of Wilcox county for the use and benefit of the underwriters of the Camden branch of the Louisville & Nashville Railroad.

The State of Alabama, }
Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said county, J. R. Foster, who is the publisher of the Wilcox Banner, a newspaper published at Camden, Wilcox county, Alabama, and who deposes and says that the notice hereto attached was published in the Wilcox Banner for four consecutive weeks, as required by law. J. R. Foster.

Sworn to and subscribed before me, this 5th day of July, 1907. Francis M. Purifoy,
Justice of the Peace.

By Mr. Bloch, (with notice and proof) :

H. 1037. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county, or other authorized agents of said county, borrowing money for the use and benefit of said county, and to ratify and confirm the warrants given for money so bor-

rowed, and for the interest thereon, and for warrants heretofore issued for said purpose.

Judiciary.

Notice and Proof. H. 1037.

A bill will be introduced at the ensuing session of the Legislature of Alabama to ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county or other authorized agents of said county for the use and benefit of said county, and to ratify and confirm the warrants given for money so borrowed and for the interest thereon, and for warrants heretofore issued for said purpose.

The State of Alabama, }
Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said county, J. R. Foster, who is publisher of the Wilcox Banner, a newspaper published at Camden, Wilcox county, Alabama, and who deposes and says that the notice hereto attached was published in the Wilcox Banner for four consecutive weeks, as required by law.

J. R. Foster.

Sworn to and subscribed before me, this 5th day of July, 1907.

Francis M. Purifoy,
Justice of the Peace.

By Mr. McMillian, (with notice and proof) :

H. 1038. To authorize the court of county commissioners of Wilcox county to purchase or acquire three or more ferries along the Alabama river in said county, to operate and maintain same for the public use.

Local Legislation.

Notice and Proof. H. 1038.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, to purchase, operate and

maintain, three public ferries at points most accessible along the Alabama river in the county of Wilcox.

The State of Alabama, }
Wilcox County. }

Personally appeared before me, W. J. Bonner, a notary public for Wilcox county and State aforesaid, J. F. Foster, who is known to me as editor of the Wilcox Banner, a paper published weekly at Camden, Wilcox county, Alabama, who being duly sworn, deposes and says that he is editor and proprietor of the Wilcox Banner a paper published weekly at Camden, Alabama, and that the attached notice authorizing the county of Wilcox to borrow money, etc., was published in the Wilcox Banner four consecutive weeks, beginning the seventh day of February and ending the 28th day of the same month.

J. F. Foster.

Sworn and subscribed to before me, this thirteenth day of June, 1907.

W. J. Bonner,
Notary Public.

By Mr. McMillian, (with notice and proof) :

H. 1039. To authorize the court of county commissioners of Wilcox county to borrow money, not exceeding one-half of the county revenue of said county per annum.

Local Legislation.

Notice and Proof. H. 1039.

The State of Alabama, }
Wilcox County. }

Camden, Ala., July 13th, 1907.

Personally appeared before me, W. J. Bonner, a notary public for Wilcox county and State aforesaid, J. F. Foster, known to me as editor of the Wilcox Banner, who being duly sworn, deposes and says that he is editor and proprietor of the Wilcox Banner, a paper published weekly in the town of Camden, Wilcox county, Ala., and that the attached notice as to free ferries was

published for four consecutive weeks in said paper beginning on the 24th day of January, 1907, and ending on the 14th day of February, same year.

J. F. Foster.

Sworn and subscribed to before me this 15th day of June, 1907.

W. J. Bonner,
Notary Public.

NOTICE.

Notice is hereby given that at this session of the Legislature of Alabama, a bill will be introduced the substance of which will be to authorize the county of Wilcox to borrow money, not exceeding the county revenue of said county per annum in the discretion of the court of county commissioners of said county.

By Mr. Barton, (with notice and proof) :

H. 1040. For the relief of T. P. Southerland, treasurer of Winston county.

Local Legislation.

Notice and Proof. H. 1040.

Notice is hereby given that application will be made to the Legislature of Alabama which convenes on July 9, 1907, to enact a law in substance as follows:

A BILL

To be entitled an act for the relief of T. P. Southerland, treasurer of Winston county.

Whereas, the circuit court of Winston county was held in March, 1907, at a time not authorized by law, and whereas the clerk of said court issued certificates of attendance to the grand and petit jurors attending said term, which certificates were duly presented and in good faith paid by the treasurer of said county, and whereas the authority of said treasurer to pay said certificates is questioned—

Now therefore, be it enacted by the Legislature of Alabama as follows:

Section 1. That T. S. Southerland, treasurer of Winston county, be and he is hereby released from all liabil-

ity arising or existing by reason of the payment by him from the funds of said county, any and all certificates issued by said clerk of the circuit court of said county to grand and petit jurors attending a term of the circuit court in March, 1907.

Section 2. That the payment by T. S. Southerland, treasurer of Winston county, of the grand and petit jurors thereof, attending a term held or attempted to be held in March, 1907, is in all things ratified and confirmed.

Section 3. That all laws and parts of laws, general, special or local, in conflict with the provisions of this act be and the same hereby are repealed.

The State of Alabama, }
Winston County. }

I, Geo. W. Adkins, publisher of the New Era, a newspaper published in said county, hereby certify that the attached notice has been published in said paper for 30 days prior to this date. This the 2nd day of July, 1907.

Geo. W. Adkins, Publisher.

Sworn to and subscribed before me, this 2nd day of July, 1907.

John S. Curtis,
Judge of Probate.

By Mr. Barton, (with notice and proof) :

H. 1041. To increase and fix the compensation of jurors, grand and petit, who serve in the circuit court of Winston county.

Judiciary.

Notice and Proof. H. 1041.

A bill to be entitled an act to increase and fix the compensation of jurors, grand and petit, who serve in the circuit court of Winston county:

Be it enacted by the Legislature of Alabama, as follows:

Section 1. That all jurors, grand and petit, are entitled to two dollars and fifty cents (\$2.50) for each day's service, five (5) cents for each mile traveled in going

to and returning from court, after being summoned, and ferriage and toll to be proved by the oath of the juror before the clerk of the court, whose duty it is to give each juror a certificate stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled; each certificate shall be received in payment of county taxes, and any other county dues, and payable out of the county treasury.

Section 2. That all laws and parts of laws, general, local or special, in conflict with the provisions of this act, be and the same are hereby repealed.

The State of Alabama, }
Winston County. }

I, Geo. W. Adkins, publisher of the New Era, a newspaper published in Winston county, hereby certify that the attached notice has been published in said paper for 30 days prior to this date. This the 2nd day of July, 1907.

Geo. W. Adkins, Publisher.

Sworn to and subscribed before me, this 2nd day of July, 1907.

John S. Curtis,
Judge of Probate.

By Mr. Barton, (with notice and proof) :

H. 1042. To repeal an act entitled "An act to increase the number of grand and petit jurors in Winston county," approved February 7th, 1885.

Judiciary.

Notice and Proof. H. 1042.

NOTICE.

Notice is hereby given that at the session of the Legislature of Alabama commencing January 7th, 1907, a bill will be introduced for passage, the substance of which follows:

An act to repeal section two and three of an act "entitled an act to repeal an act to increase the number of

grand and petit jurors in Winston county, and to provide and designate the number of petit jurors drawn in said county," approved Dec. 10, 1886.

Be it enacted by the Legislature of Alabama, That sections two and three of an act of the General Assembly approved Dec. 10, 1886, which said sections are in words as follows: "Section 2. Be it enacted by the General Assembly of Alabama, That it shall be the duty of the officers whose duty it is by law to draw and summons jurors in and for said county of Winston, to draw and summons at the time and in the manner prescribed by law to serve as petit jurors at each term of the circuit court held in said county, according to the rules prescribed by the general statutes in this State. Section 3. Be it further enacted by the General Asesmbly of Alabama, That if any of such persons so summoned shall fail to attend, that it shall be the duty of the court to complete the said jury as provided by law, be and the same is hereby repealed."

J. Curtis.

The State of Alabama, }
Winston County. }

Before me, Rufus I. Dodd, clerk of the circuit court in and for said county, personally appeared Geo. W. Adkins, who is known to me to be the editor and publisher of the New Era, a weekly newspaper published in said county, who being by me duly sworn, deposes and says that the attached notice of "A bill to be entitled an act to repeal section two and three of an act" entitled an ac to repeal an act to increase the number of petit jurors in Winston county, and to provide and designate the number of petit jurors drawn in said county," approved Dec. 10, 1886, has been published in said newspaper for four consecutive weeks next prior to Feby. 11th, 1907:

This July 8, 1907.

Geo. W. Adkins,
Editor and Publisher New Era.

Subscribed and sworn to before me, this the 8th day of July, 1907:

Rufus I. Dodd,
Clerk Circuit Court.

By Mr. Barton, (with notice and proof) :

H. 1043. To repeal sections two and three of "an act entitled an act to repeal an act to increase the number of grand and petit jurors in Winston county, and to provide and designate the number of petit jurors drawn in said county," approved Dec. 10, 1886.

Judiciary.

Notice and Proof. H. 1043.

NOTICE.

Notice is hereby given that at the session of the Legislature beginning Jan'y 7, 1907, a bill will be introduced the substance of which is hereby given.

An act to repeal an act entitled "An act to increase the number of grand and petit jurors of Winston county," approved February 7, 1885. Be it enacted by the Legislature of Alabama, That an act approved February 7, 1885, which said act is in words as follows:

Sec. 1. Be it enacted by the General Assembly of Alabama, That from and after the passage of this act that it shall be the duty of the officers whose duty it is by law to draw and summons jurors in and for the county of Winston to draw and summon on venire 15 grand and 24 petit jurors to serve at each term of the circuit court in said county according to rules prescribed by the general statutes of the State of Alabama.

Section 2. Be it further enacted, That if any of such persons so summoned shall fail to attend, that it shall be the duty of the court to complete said juries as provided by the general statutes of the State.

Section 3. Be it further enacted, That all laws and parts of laws in conflict with this act be and the same is hereby repealed, approved February 7, 1885, be and the same is hereby repealed, in so far as it relates to the number of grand jurors in said county.

J. J. Curtis.

The State of Alabama, }
Winston County. }

Before me, Rufus I. Dodd, clerk of the circuit court in and for said county, personally appeared Geo. W. Ad-

kins, who is known to me to be the editor and publisher of the New Era, a weekly newspaper published in said county, who being by me duly sworn, deposes and says that the attached notice of "A bill to be entitled an act to repeal an act 'entitled an act to increase the number of grand and petit jurors in Winston county,'" approved February 7th, 1885, has been published in said newspaper for four consecutive weeks next prior to Feb. 11th, 1907.

This July 8th, 1907.

Geo. W. Adkins,
Editor and Publisher New Era.

Sworn to and subscribed before me this the 8th day of July, 1907.

Rufus I. Dodd,
Clerk Circuit Court.

By Mr. Lee, of Etowah, (with notice and proof) :

H. 1044. To alter or change the boundary line between the counties of Etowah and Calhoun, in the State of Alabama, and as altered to establish the same.

County and County Boundaries.

Notice and Proof. H. 1044.

The State of Alabama, }
County of Calhoun. }

On this fourteenth day of June, 1907, personally appeared E. B. McKee, who being duly sworn, doth depose and say: That he is general manager of the Anniston Evening Star, a newspaper published in the city of Anniston, county and State aforesaid; that the notice hereto attached, clipped from the columns of said newspaper, was published in said newspaper once a week for four consecutive weeks, on dates as follows: Dec. 12, 1906, Dec. 19, 1906, Dec. 26, 1906, and on Jan. 2, 1907.

E. B. McKee
General Manager.

Sworn and subscribed to before me this fourteenth day of June, A. D., 1907.

E. T. Cook,
Judge of Probate, Colhoun County.

NOTICE.

Of proposed change of boundary line between Etowah and Calhoun counties:

Notice is hereby given that a bill will be introduced at the coming session of the Legislature for the purpose of cutting off the following territory from Calhoun county, to-wit:

Beginning at the northwest corner of section thirty, township twelve, range eight, thence south along range line to the point where said range line intersects the old Indian boundary line, thence easterly along said Indian boundary line to where the same is intersected by the section line between section thirty-three and section thirty-four of said township and range, thence north along said section line and continuing between sections twenty-seven and twenty-eight to the northeast corner of said section twenty-eight, thence westerly along the section line on the north boundary lines of sections twenty-eight, twenty-nine and thirty to beginning point, and adding said territory to Etowah county.

NOTICE

Of proposed boundary line between Etowah and Calhoun counties.

Notice is hereby given that a bill will be introduced at the coming session of the Legislature for the purpose of cutting off the following territory:

Beginning at the northwest corner of section thirty, township twelve, range eight, thence south along range line to the point where said range line intersects the old Indian boundary line, thence easterly along said Indian boundary line, to where the same is intersected by the section line between section thirty-three and section thirty-four of said township and range, thence north along said section line and continuing between sections twenty-seven and twenty-eight to the northeast corner of said section twenty-eight, thence westerly along the section line on the north boundary line of sections twenty-eight,

twenty-nine and thirty to beginnig point, and adding said territory to Etowah county.

The State of Alabama, }
County of Etowah. }

On this the 6th day of July, 1907, personally appeared Chas. E. Meeks, who being duly sworn doth depose and say: That he is general manager of the Times-News, a newspaper published in the city of Gadsden, county and State aforesaid, that the notice hereto attached was published in said newspaper once a week for four consecutive weeks, on dates as follows:

Chas. E. Meeks,
General Manager.

Sworn and subscribed to before me this 6th day of July, 1907.

Alto Lee, Jr.,
Notary Public, Etowah County.

By Mr. Kornegay:

H. 1045. To repeal an act entitled "An act to better provide for revenue of the State and more efficiently assess and collect taxes and for this purpose to create a commission to be known as the State Tax Commission of Alabama, and to prescribe powers and duties of said commission, and its mode of procedure and to abolish the office of State Tax Commissioner," approved March 7th, 1907.

Ways and Means.

By Mr. Arnold; (with notice and proof):

H. 1046. To amend section two of "An act to constitute the city of Anniston a separate school district and to provide a board of education therefor."

Education.

Notice and Proof. H. 1046.

The State of Alabama, }
Calhoun County. }

Before me, A. B. Sawyer, a notary public, in and for said State and county, personally appeared Milton A. Smith, who being duly sworn on his oath, doth depose

and say that he is the editor and publisher of the Daily Hot Blast a newspaper published in Anniston, Alabama, and that a notice was published in said newspaper for four consecutive weeks on June 15th, 22nd, 29th, and July 6th, 1907, as follows:

NOTICE.

Take notice of the intention to apply to the Legislature of Alabama at its adjourned session in July, 1907, for the passage of an act in substance as follows:

AN ACT

To amend section two of "An act to constitute the city of Anniston a separate school district and to provide a board of education therefor.

Sec. 1. Be it enacted by the Legislature of Alabama, That section 2 of "An act to constitute the city of Anniston a separate school district and to provide a board of education therefor," approved January 28, 1801, be amended so as to read as follows:

Sec. 2. Be it further enacted, That the public schools of the city of Anniston shall be under the control and management of a board of education to consist of eleven suitable persons to be elected by the mayor and city council of Anniston from the qualified electors of the city. Such board shall be divided into three classes, four in each of two classes, and three in the other class.

The first class of four shall be elected at the first regular meeting of the city council in March, 1909; the second class of four at the same time in 1911, and the third class of three at the same time in 1913, and the term of office shall be six years and until their successors have been elected and qualified; and biennially thereafter said mayor and city council shall elect the successors to the members whose terms expire. Vacancies in said board, caused by death, resignation or removal, shall be filled for the unexpired term by the mayor and city council. The members, who shall hold office for a term of two years. He shall have the right to vote upon all questions

before said board, and shall have a casting vote where there shall be a tie; provided that the members of said board as now constituted shall serve for the several terms for which they have been elected; and provided further that in March, 1909, in addition to the four of the class elected for the full term of six years, a fifth shall be elected for a term of two years and his successor shall be elected for the full term of six years as one of the four of the said second class.

Milton A. Smith, Publisher.

Sworn to and subscribed before me this 6 day of July, 1907.

A. B. Sawyer,

Notary Public, Calhoun Co.

By Mr. Woolf:

H. 1047. To promote and secure the building of manufacturing plants and railroads in the State of Alabama. Commerce and Common Carriers.

By Mr. Lovelady:

H. 1048. To further regulate and prohibit the sale or other disposition of spirituous, vinous, malt or intoxicating liquors, or the issuing of prescriptions by physicians for the sale or other disposition of such liquors. Temperance.

By Mr. Coleman, of Marshall, (with notice and proof):

H. 1049. To provide for the holding of two terms, each year, of the circuit court of the ninth judicial circuit at Albertville, in Marshall county, and to regulate the same.

Local Legislation.

Notice and Proof. H. 1049.

A BILL

To be entitled an act to provide for the holding of two terms, each year, of the circuit court of the ninth judicial circuit at Albertville, in Marshall county, and to regulate the same.

Sec. 1. Be it enacted by the Legislature of Alabama, That there shall be held in Albertville, Marshall county,

during each year after the passage of this act, two terms of the circuit court of the ninth judicial circuit, or any other circuit in which Marshall may be placed by any past or future act of the Legislature of Alabama, which terms shall commence on the third Monday in May and November and may continue two weeks.

Sec. 2. Be it further enacted, That said court shall have jurisdiction to try and determine all civil causes in which the defendant, or one of the defendants, at the time of the commencement of the suit, is a resident citizen of the territory on Sand Mountain, in Marshall county, embraced in Albertville precinct No. 4, Jaybird precinct No. 5, Rock Spring precinct No. 13, Friendship precinct No. 16, Kirby precinct No. 17, Thompson precinct No. 18, Red Apple precinct No. 20, Reedbrake precinct No. 22, and Hooper's precinct No. 24, making the western brow of Sand Mountain the dividing line from the remainder of Marshall county; also when the defendant is a resident of Marshall county and the cause of action arises in said territory embraced in said precincts on Sand Mountain; also when the defendant is a corporation doing business in said territory embraced in said precincts on said Sand Mountain and the cause of action arises or the plaintiff resides within the territory embraced within said precincts on Sand Mountain.

Sec. 3. That all causes pending in the circuit court of Marshall county, in which the defendant, at the time the suit was commenced, resided within the territory embraced within the said precinct on Sand Mountain, and all causes against corporations where the cause of action originated in said territory embraced within said precincts on Sand Mountain or where the plaintiff resided in the territory embraced in said precincts on Sand Mountain or where the plaintiff resides in the territory embraced in said precincts on Sand Mountain at the time the suit was begun, shall be transferred from the dockets of said court at Guntersville, to the docket of said court to be held at Albertville, and shall stand for trial at the first term of said court held at Albertville.

Sec. 4. Be it further enacted, That said court at Albertville shall be presided over by the judge of the ninth

judicial circuit as is now provided by law in the State of Alabama, so long as Marshall county continues in said ninth judicial circuit, and then by the judge of the circuit in which Marshall county is situated.

Sec. 5. Be it further enacted, That the clerk of the circuit court of Marshall county shall be ex-officio the clerk of said court at Albertville and shall be required to procure and keep all necessary dockets and records for the use of said court, and the dockets, records and papers pertaining to said court shall be kept at Albertville. Said clerk of the circuit court of Marshall county shall keep an office at Albertville, in which the records, books and papers pertaining to said court shall be kept, and shall also, what time he is not at said office, keep a deputy clerk in said office, who shall be authorized and empowered to discharge in the name of the clerk of the circuit court of Marshall county, all the duties of said office pertaining to the business of said court at Albertville. Said books, records and papers shall at all times be open for inspection by said court and its officers. The said clerk of the circuit court of Marshall county and said deputy at Albertville shall do and perform all acts pertaining to said court at Albertville as is now required of the clerk of the circuit court of Marshall county in reference to matters in the circuit court of said county.

Section 6. Be it further enacted, that the sheriff of Marshall county shall be required to keep an office in the court house at Albertville and keep the same open in person or by deputy for the reception and service of all instruments and the transaction of all business that may be, or that is now, required of him by law; and shall serve or execute all papers and process issued by said court at Albertville and shall attend upon each term of said court; and shall procure for the use of said court all the digests, and law books owned by the county, and for the transportation of said books the commissioners' court of said county shall issue a warrant payable to the sheriff for the amount actually expended by him for said purposes.

Sec. 7. Be it further enacted, That all summons or process issued under the provisions of this act shall be

returnable to the circuit court at Albertville and so designated in said summons or process.

Sec. 8. Be it further enacted, That jurors shall be drawn and summoned for each term of said court at Albertville in the same manner as now prescribed by law for drawing and summoning jurors in Marshall county, from the qualified jurors who reside in the said territory embraced in said precincts on Sand Mountain in Marshall county, which said jurors when so drawn and summoned, shall attend and serve upon said court under the pains and penalties now provided by law for the service of jurors upon the circuit court of Marshall county. Said jurors shall be drawn from a box as now provided by law, except that there shall be no names in the box except the names of the qualified jurors of said territory in said precincts on Sand Mountain in Marshall county; and said jurors shall be paid for their attendance and mileage in the same amount and in the same manner as jurors in the circuit court of Marshall county.

Sec. 9. Be it further enacted, That the first term of said court at Albertville shall be held on the third Monday in November, 1907, or as soon thereafter as there shall be erected a court house at Albertville, suitable for holding the said court, without cost to the county of Marshall so far as the court house is concerned.

Sec. 10. Be it further enacted, That before entering upon the discharge of their duties under the provisions of this act, the sheriff and circuit clerk of Marshall county shall each make and execute bond in the sum of two thousand dollars, conditioned, as now required by law for the faithful performance of their duties under the provisions of this act, provided that after the expiration of the present term of said sheriff and clerk, the bonds that are now required of them by law shall be liable for the faithful discharge of their duties under the provisions of this act, and the failure of the sheriff or clerk to make said bond with sufficient sureties and conditions as required by this act within thirty days after this act is approved by the governor, shall work a forfeiture of their respective offices.

Sec. 11. Be it further enacted, That the provisions of this act shall not go into effect until the erection of said court house as herein provided except for the purpose of drawing said juries.

Notice is hereby given that the bill above set out and published will be introduced for passage at the adjourned term of the Legislature of Alabama which convenes on July 9, 1907.

The State of Alabama, }
Marshall County. }

Before me, A. B. Hooper, a notary public, in and for said State and county, personally appeared A. R. Kearney, editor and proprietor of the Marshall Banner, a weekly newspaper published at Albertville, in Marshall county, Alabama, who being by me duly sworn, saith upon oath that the foregoing bill was published in said Marshall Banner for four consecutive weeks.

A. B. Kearney.

Subscribed and sworn to before me, this the 6th day of July, 1907.

A. B. Hooper,
Notary Public.

By Mr. Henley, (with notice and proof) :

H. 1050. To prescribe the duties, fix the fees and commissions of the deputy solicitor of Escambia county, Alabama, and make disposition of the residue of the fees and commissions earned by such solicitor.

Judiciary.

Notice and Proof. H. 1050.

The State of Alabama, }
Escambia County. }

Before me, John D. Leigh, a notary public, in and for the State and county aforesaid, this day personally appeared Herbert C. Rankin, who being by me first duly and legally sworn, deposes and says that he is the editor and publisher of The Brewton Standard, a weekly newspaper published in the town of Brewton, county of Escambia and State of Alabama, and that the notice here-

to attached, and marked "Exhibit A," was published in the said The Brewton Standard, once a week for four (4) consecutive weeks, and that said notice appeared in said paper on the following dates, June 6th, June 13th, June 20th, and June 27th, 1907.

Herbert C. Rankin,
Editor and Publisher of The Brewton Standard.

Sworn to and subscribed before me, this 8th day of July, 1907.
John D. Leigh,
Notary Public.

NOTICE.

(Exhibit A.)

Notice is hereby given that on the reconvening of the Legislature of Alabama, application will be made to the Legislature of Alabama, to pass a bill prescribing the duties, fixing the compensation and fees of the deputy solicitor of Escambia county, and making disposition of the residue of the fees and commissions earned by such solicitor, which bill will be in substance as follows:

A bill to be entitled an act to prescribe the duties, fix the fees and commissions of the deputy solicitor of Escambia county, Alabama, and make disposition of the residue of the fees and commissions earned by such solicitor.

Be it enacted by the Legislature of Alabama:

Section 1. That it shall be the duty of the deputy solicitor of Escambia county, Alabama, to represent the State in the county court of said county and to prosecute all persons charged with offenses before said court; to aid and assist the circuit solicitor in all prosecutions in the circuit court of said county, and he may also represent the State in habeas corpus proceedings and in trials for commitment, where the defendant is charged with a felony. He may also attend all grand juries organized in said county, advise them in relation to matters of law, swear and examine witnesses before them and draw all indictments found by them.

Section 2. That such deputy solicitor of Escambia county may collect and retain for his services the fees

and commissions earned by him in the county court of Escambia county during the year, not to exceed the sum of seven hundred and fifty (\$750) dollars per annum.

Section 3. That the residue of all fees and commissions above the amount mentioned in section two of this act must be paid into the county treasury and be placed to the credit of the fine and forfeiture fund of said county.

By Mr. Henley, (with notice and proof) :

H. 1051. To provide for the payment by the county of Escambia of all accounts for postage used by certain officers of said county.

County and County Boundaries.

Notice and Proof. H. 1051.

The State of Alabama, }
Escambia County. }

Before me, John D. Leigh, a notary public, in and for said county and State, this day personally appeared Herbert C. Rankin, who being by me first duly and legally sworn, deposes and says that he is editor and publisher of the Brewton Standard, a weekly newspaper published in the town of Brewton, county of Escambia and State of Alabama, and that the notice hereto attached, and marked "Exhibit A," was published in said Brewton Standard once a week for four (4) consecutive weeks, and that said notice appeared in said paper on the following dates, June 6th, June 13th, June 20th, and June 27th, 1907.

Herbert C. Rankin,
Editor and Publisher of Brewton Standard.

Sworn to and subscribed before me this the 8th day of July, 1907.

John D. Leigh,
Notary Public.

NOTICE.

(Exhibit A.)

Notice is hereby given that on the reconvening of the Legislature of Alabama, application will be made to the Legislature to pass a bill to provide for the payment by the county of Escambia of all accounts for postage used by certain officers of said county; which bill will be in substance as follows:

A bill to be entitled an act to provide for the payment by the county of Escambia of all accounts for postage used by certain officers of said county.

Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this act all postage used by the probate judge, circuit clerk, register in chancery, sheriff, county superintendent of education, county treasurer, tax assessor and tax collector of Escambia county, Alabama, in their official correspondence shall be paid for out of the treasury of said county, the accounts for which shall be audited and allowed as are other claims against said county.

Section 2. That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

By Mr. Henley:

H. 1052. To amend sections 4580 and 4581 of the Code of 1896.

Judiciary.

By Mr. Henley, (with notice and proof):

H. 1053. To alter and rearrange the boundaries of the town of Pollard, extending the corporate limits of said town.

Municipal Organization.

Notice and Proof. H. 1053.

The State of Alabama, }
Escambia County. }

Before me, John D. Leigh, a notary public, in and for the State and county aforesaid, this day personally ap-

peared Herbert C. Rankin, who being by me first duly and legally sworn, deposes and says that he is the editor and publisher of the Brewton Standard, a weekly newspaper published in the town of Brewton, county of Escambia and State of Alabama, and that the notice hereto attached, and marked "Exhibit A" was published in said Brewton Standard once a week for four successive weeks, and that said notice appeared in said paper on the following dates, June 13th, June 20th, June 27th, and July 4th, 1907.

Herbert C. Rankin,
Editor and Publisher of The Brewton Standard.

Sworn to and subscribed before me, this the 8th day of July, 1907.

John D. Leigh,
Notary Public.

NOTICE.

(Exhibit A.)

Notice is hereby given that on the reconvening of the Legislature of Alabama application will be made to the Legislature to pass an act to alter and rearrange the boundaries of the town of Pollard, which act will be in substance as follows:

A bill to be entitled an act to alter and rearrange the boundaries of the town of Pollard, extending the corporate limits of said town. Be it enacted by the Legislature of Alabama:

Section 1. That the boundaries of the town of Pollard, in the county of Escambia and State of Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said town all that territory lying within the county of Escambia, and State of Alabama, included within the following boundaries, to-wit: Beginning at the center of the Louisville and Nashville Railroad track at the southern end of the railroad trestle spanning Jernigan's Mill creek and run due west four hundred (400) yards; thence south to a point that is one-half mile south of the southern bank of Bay branch; thence due east one thousand 1,000 yards; thence due north to a point that is six

hundred 600 yards due east of the point of beginning and thence due west six hundred 600 yards to the point of beginning.

Section 2. That the boundaries set out in section one of this act be and the same are hereby established as the corporate limits of the said town of Pollard.

By Mr. Mitchell, (with notice and proof) :

H. 1054. To require the court of county commissioners of Marion county, Alabama, to use two mills each year of the two and one-half mills now used for bridges for the improvement of the public roads of the county through a public road superintendent or superintendents to be appointed by said court of county commissioners which court shall fix their compensation to be paid out of the said funds; to allow all persons subject to road duty in said county to pay \$5.00 instead of working the ten days now required; and to provide how and when this law shall go into effect.

County and County Boundaries.

Notice and Proof. H. 1054.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature, session 1907, to require the court of county commissioners of Marion county to use 2 mills each year of the 2 1-2 mills now used for bridges for the improvement of the public roads of the county through a public road superintendent or superintendents of their appointment, whose compensation shall be fixed by said court and paid out of said fund not to exceed \$2.00 per day for each day he works; and to allow all persons subject to road duty in said county to pay \$5.00 instead of working the ten days now required; provided said law shall not be effective until the tax year beginning October 1, 1909, and provided it shall be submitted to the voters of said county at the general election in 1908 for approval.

C. E. Mitchell.

The State of Alabama, }
 Marion County. }

Before me, Mack Pearce, judge of probate in and for said State and county, this day personally appeared G. J. Wilson, who is personally known to me to be the editor and publisher of the Marion County News, who, being by me first duly and legally sworn, deposes and says that he is the editor and publisher of the Marion County News, and that said Marion County News is a weekly newspaper published in the town of Hamilton, in said State and county; and affiant further states that a certain advertisement, a true and correct copy of which is hereunto attached, was published in said newspaper for four consecutive weeks prior to the 28th day of February, 1907; and affiant further states that said publication was made without cost to the State.

G. J. Wilson,
 Editor Marion County News.

Sworn to and subscribed before me this the 28th day of February, A. D., 1907.

Mack Pearce,
 Judge of Probate.

By Mr. Seale, (with notice and proof):

H. 1055. For the relief of C. D. Horn; to authorize the court of county commissioners of Sumter county to issue a new warrant in favor of said C. D. Horn in lieu of warrant No. 12216, which was barred before being presented for payment.

Appropriations.

Notice and Proof. H. 1055.

NOTICE.

Notice is hereby given that a bill will be introduced in the present session of the Legislature to authorize the court of county commissioners of Sumter county to draw their warrant on the county treasurer in lieu of warrant No. 12216 which was barred by the statute of limitations before being presented to the treasurer for

payment; and to authorize the treasurer to pay same on presentation.

C. D. Horn.

The State of Alabama, }
Sumter County. }

Before me, W. W. Patton, a notary public in and for said State and county, personally appeared C. H. Allen who being first duly sworn, deposes and says that he is editor and publisher of the Sumter County Sun, a weekly newspaper published in said county, and the publication of a certain notice, of which the attached is a true copy, has been made in said paper for five consecutive weeks, to-wit: June 6th, June 13th, June 20th, June 27th, and July 4th, 1907.

C. H. Allen.

Sworn to and subscribed before me this the 6th day of July, 1907.

W. W. Patton,

Notary Public, Sumter County, Ala.

By Mr. Seale:

H. 1056. To repeal section 9 of an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

Ways and Means.

By Mr. Seale:

H. 1057. To make appropriation for the maintenance of Sumter Self Help Farm College, near Gainesville, Sumter county, Alabama.

Appropriations.

By Mr. Seale:

H. 1058. To prescribe the measure of damages for negligent destruction or injury of property, goods or chattels by railroad companies and to regulate the collection thereof.

Commerce and Common Carriers.

By Mr. Seale, (with notice and proof) :

H. 1059. To prohibit the sale, barter, exchange, giving away, lending, delivery or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters, cordials or proprietary medicines or alcoholic drinks in Sumter county, Alabama; provided this

act shall not prevent its use for religious or sacramental purposes; to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any person other than himself any such spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, alcoholic drinks or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks, to any point within this State, and to prohibit any person, firm or corporation in the State of Alabama from shipping into Sumter county, from any point in said State, spirituous, vinous, or malt liquors, intoxicating bitters intoxicating beverages, intoxicating cordials, intoxicating proprietary medicines or alcoholic drinks, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict therewith.

Temperance.

Notice and Proof. H. 1059.

NOTICE.

To Whom it May Concern:

Notice is hereby given that the following bill will be introduced in the Legislature of Alabama at the present session upon the re-assembling of the same in July:

A BILL

To be entitled an act to prohibit the sale, barter, exchange, giving away, lending, delivery or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters, cordials or proprietary medicines or alcoholic drinks in Sumter county, provided this act shall not prevent its use for religious or sacramental purposes, and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any person, other than himself, any such spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving orders for spirituous, vinous, or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, alcoholic drinks, or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous, or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks by any person, in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirituous, vinous, or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks to any point within this State, and to prohibit any person, firm or corporation in the State of Alabama, from shipping into Sumter county from any point in said State, spirituous, vinous, or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, intoxicating proprietary medicines or alcoholic drinks, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict therewith.

Section 1. Be it enacted by the Legislature of Alabama, That it shall be unlawful for any person, firm or corporation to sell, barter, exchange, give away, lend, deliver or otherwise dispose of any spirituous, vinous, or malt liquors, intoxicating beverages, intoxicating cordials, or intoxicating bitters, or intoxicating proprietary medicines, or alcoholic drinks in Sumter county, Alabama. Provided this act shall not prohibit its use for religious or sacramental purposes.

Section 2. Be it further enacted, That it shall be unlawful for any common carrier, person or corporation to ship, bring or carry into Sumter county from any place or point within this State for the use of any other person than himself, herself or itself, any spirituous, vinous, or malt liquors, or intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks.

Section 3. Be it further enacted, That it shall be unlawful for any person, firm or corporation, to procure or obtain for any other person in said county any spirituous, vinous, or malt liquors, intoxicating beverages, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks.

Section 4. Be it further enacted, That it shall be unlawful, to take or solicit in Sumter county, any order or orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, cordials or intoxicating proprietary medicines, or alcoholic drinks, or to carry within or from said county any such order, or orders.

Section 5. Be it further enacted, That it shall be unlawful for any person, firm or corporation in said county to order, give or receive or transmit any order or orders, to any point within this State for himself, or any other person, firm or corporation, over any telephone or telegraph line for spirituous, vinous or malt liquors, intoxicating beverages; or intoxicating bitters, or intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks, to be sent or brought or shipped into Sumter county.

Section 6. Be it further enacted, That it shall be unlawful for any person, firm or corporation in the State of Alabama, to ship into Sumter county from any point within the State of Alabama any spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bit-
ters, intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks.

Section 7. Be it further enacted, That any person violating sections one, two, four, five and six of this act shall be deemed guilty of misdemeanor, and upon conviction thereof, shall be imprisoned in the county jail or sentenced to hard labor for the county for not less than three months, and not more than twelve months, and shall also pay a fine of not less than fifty nor more than five hundred dollars.

Section 8. Be it further enacted, That any person violating section three of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than twenty-five nor more than five hundred dollars, and may also be imprisoned in the county jail or sentenced to hard labor for the county not more than twelve months in the discretion of the court.

Section 9. Be it further enacted, That if any section provision, or part of this act shall for any reason be or held by any court of competent jurisdiction to be invalid, inoperative or void, the residue of this act shall not be invalidated or effected thereby.

Section 10. Be it further enacted, That this act shall go into effect and become operative from and after the date of its approval, and all laws or parts of laws general or special in conflict with any provisions of this act be and the same are hereby repealed.

The State of Alabama, }
Sumter County. }

Before me, Thos. F. Seale, a notary public and ex-officio justice of the peace in and for said State and county, personally appeared W. H. Lawrence, who being first duly sworn deposes and says that he is the editor and publisher of Our Southern Home, a weekly newspaper published in said county, and that publication of a cer-

tain notice, of which the foregoing is a true copy, has been made in said paper for four consecutive weeks, to-wit: on the 5th day of June, 1907, on the 12th day of June, 1907, on the 19th day of June, 1907, and the 26th day of June 1907.

W. H. Lawrence.

Sworn to and subscribed before me this the 6th day of July, 1907.

Thos. F. Seale,

N. P. & Ex. Off. J. P.

By Mr. Seale:

H. 1060. To amend section 7 of an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7th 1907.

Ways and Means.

By Mr. Seale, (with notice and proof) :

H. 1061. To authorize the court of county commissioners of Sumter county to use any money in the county treasury not otherwise appropriated for the purpose of employing detectives or secret service men to ferret out and detect violations of the prohibition laws of said county.

Temperance.

Notice and proof H. 1061.

NOTICE.

To Whom it May Concern:

Notice is hereby given that the following bill will be introduced in the next session of the legislature of Alabama, viz:

A BILL

To be entitled a bill to authorize the court of county commissioners of Sumter county to use any money in the county treasury not otherwise appropriated for the purpose of employing detectives or secret service men to ferret out and detect violations of the prohibition laws of said county.

Section 1. Be it enacted by the Legislature of Alabama, That the court of county commissioners of Sum-

ter county is hereby authorized and empowered to use any money in the county treasury of said county not otherwise appropriated for the purpose of employing detectives or secret service men to ferret out and detect violations of the prohibition law of said county.

Section 2. Be it further enacted, That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

The State of Alabama, }
Sumter County. }

Before me, Thos. F. Seale, a notary public and Ex-officio justice of the peace in and for said State and county personally appeared C. H. Allen, who being duly sworn deposes and says that he is editor and publisher of the Sumter County Sun, a weekly newspaper published in Sumter county, Alabama, and that the publication of a certain notice, of which the foregoing is a true copy, has been made in said newspaper for four consecutive weeks to-wit: On the 3rd day of January, 1907, on the 10th day of January, 1907, on the 17th day of January, 1907, and on the 24th day of January, 1907.

C. H. Allen.

Sworn to and subscribed before me, this the 6th day of July, 1907.

Thos. F. Seale,
N. P. & Ex.-Off. J. P.

By Mr. Lee, of Houston:

H. 1062. To fix the rate of taxation for the use of the State of Alabama.

Ways and Means.

By Mr. Seale, (with notice and proof):

H. 1063. To amend section 11 of an act "to regulate the trial of misdemeanors in Sumter county" approved December 8th, 1882.

Local Legislation.

Notice and proof H. 1063.

NOTICE.

Take notice that an act will be introduced in the Legislature of Alabama to amend section 11 of the act to regulate the trial of misdemeanors in Sumter county approved December 8th, 1882, so as to fix the compensation of the deputy solicitor at \$750 per annum, and to collect and retain for his services the fees and commissions earned by him in the county court of Sumter county during the year, not to exceed \$750 per annum.

The State of Alabama, }
Sumter County. }

Before me James A. Mitchell, a notary public in and for said county and State, personally appeared W. H. Lawrence who being by me duly sworn says on oath that he is the editor and proprietor of "Our Southern Home," a weekly newspaper published in Livingston, Sumter county, Alabama, and that the notice hereto attached was published in said paper once a week for four consecutive weeks.

W. H. Lawrence.

Sworn to and subscribed before me this the 5th day of July, 1907.

James A. Mitchell, Notary Public.

By Mr. Haley, (with notice and proof) :

H. 1064. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plans and survey of Smithfield by Dr. Jos. R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Sally avenue. All of Joseph street lying between Valley Creek canal and Irene avenue. All that part of Mortimer street lying between Valley Creek canal and Agnes avenue. All of Agnes avenue lying between Valley Creek canal and Mortimer street.

Local Legislation.

Notice and proof H. 1064.

The State of Alabama, }
Jefferson County. }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me, and who being duly sworn deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the 15th day of June 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the 15th day of June 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 15th, 22nd and 29th days of June, and on the 6th day of July, 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the legislature of Alabama to pass a local law to vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plan and survey of Smithfield by Dr. Joseph R. Smith, Sr., to-wit:

All that part of Thomas street lying between Valley Creek and Sally avenue.

All of Joseph street lying between Valley Creek Canal and Irene avenue.

All of Mortimer street lying between Valley Creek canal and Agnes avenue.

All of Agnes avenue lying between Valley Creek canal and Mortimer street.

Lee C. Bradley,
Thomas B. Smith.

Sworn to and subscribed before me this the 8th day of July, A. D., 1907.

Lutie Chisholm,
Notary Public.

By Mr. Haley, (with notice and proof) :

H. 1065. To vacate and annul the dedication of the following highways and parts of highways, situated in Birmingham, Jefferson county, Alabama, to-wit:

All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property. All of Eighth street from First avenue, north, to the right-of-way of the Alabama Great Southern railroad company. All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron and Railroad Company.

Local Legislation.

Notice and proof H. 1065.

The State of Alabama, }
Jefferson County. }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me and who being duly sworn deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the fifteenth day of June 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the fifteenth day of June 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 15th, 22nd and 29th days of June, and on the 6th day of July 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the legislature of Alabama to pass a local law to vacate and annul the dedication of the following highways and part of highways, situated in Birmingham, Jefferson county, Alabama, to-wit:

All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property.

All of Eighth street from First avenue, north, to the right-of-way of the Alabama Great Southern Railroad Company.

All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron & Railroad Company.

Lee C. Bradley,
Thomas B. Smith.

Sworn to and subscribed before me this the 8th day of July A. D. 1907.

Lutie Chisholm,
Notary Public.

By Mr. Haley, (with notice and proof) :

H. 1066. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit:

All of Sadler Avenue; the south half of Lucian avenue from the center of Emma street to the center of Telula street; all of Lucian avenue from center to Telula street to Eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-five and north of center of Valley Creek canal; all of Telula street lying south of the center of Lucian avenue and north of center of Valley Creek canal; the east half of Telula street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-five and center of Lucian avenue all of Emma street lying south of the continuation of the south line of the alley running easterly and westerly through block twenty-eight and north of the center of Valley Creek canal; the east half of Emma street lying between a continuation of the south line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all the alleys in or through blocks twenty-nine, thirty, and thir-

ty-one; all being located according to the survey, map and plan of Owenton, a map of which is recorded in map book two, page twenty-six, in the office of the probate judge of Jefferson county, Alabama.

Local Legislation.

Notice and proof H. 1066.

The State of Alabama, }
Jefferson County. }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me, and who being duly sworn deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the eleventh day of June 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the eleventh day of June 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 11th, 18th and 25th days of June, and on the 2nd day of July 1907, the said notice being in words and figures as follows, towit:

NOTICE.

Notice is hereby given that application will be made to the legislature of Alabama to pass a local law to vacate and annul the dedication of the following highways and parts of highways situated in Jefferson county, Alabama, to-wit:

All of Sadler avenue; the south half of Lucien avenue from center of Emma street to center of Telula street; all of Lucien avenue from center of Telula street to eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block 25 and north of center of Valley Creek canal; all of Telula street

lying south of center of Lucien avenue and north of center of Valley Creek canal; the east half of Telula street lying between a continuation of the south line of the alley running easterly and westerly through block 25 and center of Lucien avenue; all of Emma street lying south of a continuation of the south line of the alley running easterly and westerly through block 28 and north of the center of Valley Creek canal; the east half of Emma street lying between the continuation of the south line of the alley running easterly and westerly through block 28 and the center of Lucien avenue; and all the alleys in or through blocks 29, 30 and 31; all being located to the survey, map and plan of Owenton a map of which is recorded in map book 2, at page 26, in the office of the probate judge of Jefferson county, Alabama.

Lee C. Bradley,
Thomas B. Smith.

Sworn to and subscribed before me this the 8th day of July A. D. 1907.

Lutie Chisholm, Notary Public.

By Mr. Ragsdale, (with notice and proof) :

H. 1067. To vacate and annul the dedication of the following highways and parts of highways situated in Jefferson county, Alabama, to-wit:

All that part of the alleys lying and running through blocks 83, 122, 126, and 168; lying within one hundred feet of Fourteenth street and the continuation thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land & Improvement Company, and situated in Bessemer, Jefferson county, Alabama. Also all that part of the alley in block B of Hall's addition to Bessemer map of plan and survey of which is recorded in the office of the judge of probate of Jefferson county, Alabama, in map book three at page twenty-three, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama. Also all that

part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama. Also all that part of Seventeenth street lying between First avenue and Alabama avenue, in the city of Bessemer, Jefferson county, Alabama. And also the alleys lying within and running through blocks two hundred and one and two hundred and two in the city of Bessemer, Jefferson county, Alabama.

Local Legislation.

Notice and proof H. 1067.

The State of Alabama, }
Jefferson County }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me and who being duly sworn deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the eleventh day of June 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the eleventh day of June 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 11th, 18th and 25th days of June, and on the 2nd day of July 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the legislature of Alabama to pass a local law to vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit:

All that part of the alleys lying in and running through blocks 83, 122, 126 and 168, lying within one hundred feet of Fourteenth street and the continuance thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer by

Bessemer Land & Improvement Company, and situated in Bessemer, Jefferson county, Alabama.

Also all that part of the alley in block B. of Hall's addition to Bessemer, map of the plan and survey of which is recorded in the office of the judge of probate of Jefferson county, Alabama, in map book 3, at page 23, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama.

Also all that part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama.

Also all that part of Seventeenth street lying between First avenue and Alabama avenue in the city of Bessemer, Jefferson county, Alabama.

And also all the alleys lying within and running through blocks 201 and 202 in the city of Bessemer, Jefferson county, Alabama.

Lee C. Bradley,
Thomas B. Smith.

Sworn to and subscribed before me, this the 8th day of July, A. D. 1907.

Lutie Chisholm, Notary Public.

By Mr. Ragsdale, (with notice and proof):

H. 1068. To create and establish the office of jury commissioner for Jefferson county, Alabama, to provide for his appointment and removal, and to prescribe his qualifications, term of office; to define his powers and authority; to fix his salary and provide for its payment; to provide for clerks and assistants for said commissioner and to fix their salary.

Local Legislation.

Notice and Proof. H. 1068.

The State of Alabama, }
Jefferson County. }

Personally appeared before me, the undersigned authority, A. K. Williamson, who being by me duly sworn,

deposes and says on oath that he is the president and manager of the Workman Publishing Company; that the Bessemer Workman is a newspaper published in the city of Bessemer, Jefferson county, Alabama, by said company; and affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four (4) consecutive weeks in the said Bessemer Workman, beginning on the 14th day of June, 1907, and published each week thereafter to and including the 5th day of July, 1907.

A. K. Williamson,
President and Manager.

Subscribed and sworn to before me on this the 5th day of July, 1907.

Ben. G. Penny,
Notary Public.

NOTICE.

Notice is hereby given that at the session of the Alabama Legislature which convenes on July 9, 1907, there will be introduced a bill which will in substance be to create and establish the office of jury commissioner of Jefferson county, Alabama, to provide for the appointment of the said commissioner by the judges of the court of record of said county, also to fill a vacancy in case of death, removal or resignation.

To provide for the removal from office, to fix his salary at not exceeding eighteen hundred dollars per annum, payable monthly, to prescribe his qualifications, powers, authority and duties of office, to prescribe his term of office, to regulate the drawing of juries by said commissioner for said county, to provide for clerks and assistants for said commissioner and to fix their salary not exceeding one hundred dollars per month.

By Mr. Glover:

H. 1069. To repeal an act entitled an act to amend sections 1321 and 1322 of the Code of 1896, approved March 7th, 1907.

Ways and Means.

By Mr. Glover:

H. 1070. To make subject to enforcement by the courts of this State any liability incurred in another State which is subject to enforcement in such other State.

Judiciary.

By Mr. Kornegay, (with notice and proof):

H. 1071. To legalize the shooting of doves on baited fields in the counties of Dallas and Lowndes.

Game, Fish and Forrestry Preservation.

Notice and Proof. H. 1071.

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama, at its session in July, 1907, for the passage of a law providing in substance, that it shall be lawful to shoot doves on baited fields in the counties of Dallas and Lowndes; provided that this shall not be construed to permit the killing of doves at a time prohibited by law.

The State of Alabama. }
County of Dallas. }

Before me H. F. Reese a notary public in and for said county and State personally appeared H. B. Kincey, being by me first duly sworn, deposes and says, that he is the publisher of the Selma Mirror, a newspaper, published in Selma, Dallas County Alabama, and that the notice hereto attached was published once a week for four successive weeks in said newspaper, on the following days, to-wit: June 1 1907, June 7 1907, June 14 1907 and June 21 1907.

H. C. Kincey.

Sworn to and subscribed before me this the 6th day of July 1907.

H. F. Reese,
Notary Public Dallas County Ala.

By Mr. Kornegay, (with notice and proof):

H. 1072. To legalize the shooting of doves in Dallas and Lowndes counties between the 1st of August and the 1st day of March, next, thereafter.

Game, Fish and Forrestry Preservation.

Notice and Proof. H. 1072.

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama, when it meets in July, 1907, for the passage of a law, the substance of which is to make it lawful to shoot doves in Lowndes and Dallas counties, between the 1st day of August, and the 1st day of March, next thereafter.

The State of Alabama, }
County of Dallas. }

Before me, H. F. Reese, a notary public, in and for said county and State, personally appeared H. B. Kin-
cey, who, being by me first duly sworn, deposes and
says that he is publisher of the Selma Mirror, a news-
paper published in Selma, Dallas county, Ala., and
that the notice hereinafter copied was published once
a week for four successive weeks in said newspaper on
th following days, to-wit: June 1, 1907; June 8, 1907;
June 14, 1907; June 21, 1907. H. B. Kincey.

Sworn to and subscribed before me this the 6th day
of July, 1907. H. F. Reese,

Notary Public, Dallas County, Ala.

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama, when it meets in July, 1907, for the passage of a law, the substance of which is to make it lawful to shoot doves in Lowndes and Dallas counties, between the 1st day of August and the 1st day of March next thereafter.

The State of Alabama, }
 County of Lowndes. }

Before me, J. C. Wood, judge of probate, in and for said county and State, personally appeared Mrs. Estelle C. Garrett, who, being by me first duly sworn, deposes and states that she is the publisher of The Citizen-Examiner, a newspaper published in said county and State, and that the notice above, was published in said newspaper, once a week for four successive weeks, ending, to-wit: July 4, 1907. Mrs. Estelle C. Garrett.

Sworn to and subscribed before me this the 8 day of July, 1907.

J. C. Wood,
 Judge of Probate.

By Mr. Benson:

H. 1073. Amending sections 6, 9, 10, 33 and 34 of an act "Entitled an act," relating to the preservation, propagation and protection of game animals, wild birds and fish; establishing the department of game and fish, creating the office of State Game and Fish Commissioner, and providing for his election and compensation; creating the office of county game and fish warden, and deputy game and fish warden, and providing for their appointment and compensation, creating a game and fish protection fund and appropriating money therefor.
 Game, Fish and Forrestry Preservation.

By Mr. Benson:

H. 1074. To amend section 4319 of the Code of 1896.
 Judiciary.

By Mr. Benson:

H. 1075. To amend section 809 of the Code of 1896.
 Judiciary.

By Mr. Powell, of Bullock:

H. 1076. To fix the time of holding the courts in the third judicial circuit of Alabama.

Revision of Laws.

By Mr. King:

H. 1077. To allow foreign corporations liable to a charter fee or annual franchise tax to deduct from their actual capital employed, or to be employed, in this

State that part of such capital consisting of money loaned secured by recorded mortgages on real estate situated in this State.

Ways and Means.

By Mr. Smith, of Franklin, (with notice and proof) :
H. 1078. To amend section 5538 of the Code of 1896.
Revision of Laws.

Notice and Proof. H. 1078.

NOTICE.

A bill to be introduced at the adjourned term of the Legislature which convenes in the city of Montgomery on the 9th day of July, 1907, to amend section 5538 of the Code Alabama, 1896, as to the county of Franklin, so as to allow the deputy solicitor of said county to collect and retain for his services the fees and commissions earned by him in the county court during the year not to exceed \$1,000 per annum.

The State of Alabama, }
Franklin County. }

Before me, W. H. Austin, register in chancery in and for said county, personally appeared J. C. Norwood, editor of the Franklin Times, who being duly sworn, deposes and says, that the notice hereto attached was published by me for four consecutive weeks in the Franklin Times, a newspaper published in said county.

J. C. Norwood, Editor.

Sworn to and subscribed before me, this the 6th day of July, 1907.

W. H. Austin,
Register in Chancery.

By Mr. Mastin, (with notice and proof) :

H. 1079. To impose a tax of one dollar a year on each dog in the county of Montgomery, State of Alabama, over four months of age, and to provide for the collection of such tax, and to provide that all livestock killed or injured and all damages done thereto shall be

paid for out of the dog tax fund, and to provide that the surplus left in the dog tax fund on the first day of March each year shall be paid into the public school funds of said county.

Local Legislation.

Notice and Proof. H. 1079.

The State of Alabama, }
County of Montgomery. }

Personally appeared before me, Daisy Jones, a notary public in and for said county and State, F. F. Rieg, manager of The State Publishing Company, who says: that the notice hereto attached was published in The Daily State on June 8, June 15, and June 22, 1907. making three insertions as required by law.

F. F. Rieg.

Sworn to and subscribed before me this 9th day of July, 1907. Daisy Jones,

Montgomery, Ala., July, —, 1907. Notary Public.

NOTICE.

Notice is hereby given that the Legislature of Alabama, to convene on July 9th, 1907, will be requested to enact for Montgomery county a law placing a license tax of not exceeding one dollar per year upon each dog in the county of Montgomery, to be paid by the owner of the dog, and to provide for the distribution of the money derived from such tax, and a bill will be introduced in the said Legislature for that purpose.

By Mr. Hoffman:

H. 1080. To provide for the relief of Henry Brannan of Mobile county.

Appropriations.

By Mr. Smith, of Elmore, (with notice and proof):

H. 1081: To authorize and empower the commissioners' court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across the Tallapoosa river at Tallassee, Alabama, for the use

of said bridge by passengers and for vehicles, and for traffic, and for whatsoever may pass over the same, and to provide for the enforcement of such rates of toll, and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

Local Legislation.

Notice and Proof. H. 1081.

The State of Alabama, }
Montgomery County. }

Before me, Stella Marcus, a notary public, in and for said State and county, personally appeared F. L. McKenzie, who being by me first duly sworn on oath says that he is the editor and proprietor of the Tri-County Weekly, a weekly newspaper published in Tallapoosa county, Alabama, and that the attached notice was duly published in said newspaper for four consecutive weeks.

F. L. McKenzie.

Sworn to and subscribed before me this 8th day of July, 1907.

Stella Marcus,
Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, at its next session which convenes on the 9th day of July, 1907, to authorize and empower the commissioners' court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across Tallapoosa river at Tallassee, Alabama, for the use of said bridge by passengers, and for vehicles, and for traffic, and for whatsoever may pass over the same; and to provide for the enforcement of such rates of toll and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

The substance of said bill shall be as follows:

Section 1. Be it enacted by the Legislature of Alabama, that the commissioners' court of Tallapoosa

county are authorized and empowered to regulate and fix the rate of toll that shall be charged by the owners of the bridge across the Tallapoosa River, at Tallassee, Alabama, for the use of said bridge by passengers and for vehicles, and for traffic, and for whatever may pass over the same, and said commissioners court may from time to time alter said rates of toll when in the judgment of the court the same shall be necessary and proper:

Section 2. After the rates of toll to be charged for the use of said bridge shall have been fixed by said court of county commissioners, it shall be unlawful for the owners or keeper of said bridge to demand or receive from any person a larger rate of toll than that prescribed and fixed by said court of county commissioners and for each violation of this act the owners of said bridge shall forfeit to the person from whom excessive toll shall have been demanded or received twenty dollars, recoverable before any justice of the peace of said county.

J. H. Ashurst.

The State of Alabama, }
Tallapoosa County. }

Before me, W. P. Holley, a justice of the peace in and for said State and county, personally appeared P. A. Jackson, who being by me first duly sworn says on oath that he is the editor and proprietor of the Tallapoosa Courier, a weekly newspaper published in Dadeville, Tallapoosa county, Alabama, that the above attached notice was published in said newspaper for four consecutive weeks.

P. A. Jackson.

Subscribed and sworn to before me this the 4th day of July, 1907.

W. P. Holley,
Justice of the Peace,
Tallapoosa County, Ala.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at its next session which convenes on the 9th day of July, 1907, to authorize and empower the commissioners court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across the Tallapoosa river at Tallassee Alabama, for the use of said bridge by passengers and for vehicles, and for traffic, and for whatsoever may pass over the same, and to provide for the enforcement of such rates of toll and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

Section 1. Be it enacted by the legislature of Alabama, That the commissioners court of Tallapoosa county are authorized and empowered to regulate and fix the rate of toll that shall be charged by the owners of the bridge across the Tallapoosa river, at Tallassee, Alabama, for the use of said bridge by passengers, and for vehicles, and for traffic, and for whatever may pass over the same, and said commissioners court may from time to time alter said rate of toll when in the judgment of the court the same shall be necessary and proper.

Section 2. After the rates of toll to be charged for the use of said bridge shall have been fixed by said court of county commissioners it shall be unlawful for the owners or keeper of said bridge to demand or receive from any person a larger rate of toll than that prescribed and fixed by said court of county commissioners, and for each violation of this act the owners of said bridge shall forfeit to the persons from whom excessive toll shall have been demanded or received, twenty dollars, recoverable before any justice of the peace of said county.

J. H. Ashurst.

By Mr. Henley, (with notice and proof) :

H. 1082. To repeal section 4 and amend section 12 of an act approved September 17th, 1903, entitled an act to better provide for the maintaining and keeping in repair the public roads of Escambia county.

Public Roads and Highways.

Notice and proof H. 1082.

The State of Alabama, }
Escambia County. }

Before me, M. F. Brooks, judge of probate in and for said county and State, personally appeared H. C. Rankin who being first duly and legally sworn deposes and says that he is the editor and publisher of the Brewton Standard, a weekly newspaper published in the town of Brewton in said county and State, and that the notice hereto attached and marked "Exhibit A," was published in said newspaper once a week for four (4) successive weeks and that said notice appeared in said newspaper on the following dates viz: May 23rd, May 30th, June 6th, and June 13th, 1907.

H. C. Rankin,
Editor and Publisher the Brewton Standard.

Sworn to and subscribed before me this the 8th day of July, 1907.

M. F. Brooks,
Judge of Probate.

NOTICE.

EXHIBIT A.

Notice is hereby given that a bill will be introduced in the legislature at its adjourned session in July, 1907, the substance of which will be as follows:

An act entitled an act to repeal section 4 and amend section 12 of an act approved September 17th, 1903, entitled an act to better provide for the maintaining and keeping in repair the public roads of Escambia county:

Section 1. Be it enacted by the Legislature of Alabama, that section 4 of an act entitled an act to better provide for the maintaining and keeping in repair the public roads of Escambia county, approved Sept. 17th, 1903, be and the same is hereby repealed.

Section 2. That section 12 of said act be amended so as to read as follows:

Section 12. That no person or hand in Escambia county shall be liable or required to work any public road more than six days in any one year, not counting the days engaged in opening new roads, but all hands warned by the overseer for the purpose of working the roads in case of washouts or for removing obstructions or repairing bridges, are bound to attend notwithstanding they have worked six days.

By Mr. Carmichael of Colbert:

H. 1083. To make an appropriation for furnishing and equipping certain of the offices and departments in the State capitol.

Appropriations.

GOVERNOR'S MESSAGE.

Montgomery, July 9, 1907.

To the House of Representatives:

It becomes my painful duty to announce to the Legislature the death on June 11, 1907, of the Hon. John T. Morgan, our late United States Senator. There is a vacancy in this great office and it is your duty to elect his successor.

B. B. Comer, Governor.

GOVERNOR'S MESSAGE.

Montgomery, July 9, 1907.

To the House of Representatives:

I herewith transmit for your consideration a written message to the legislature as shown by accompanying document.

B. B. Comer, Governor.

MESSAGE OF GOVERNOR B. B. COMER.

Montgomery, July 9th, 1907.

To the Senate and House of Representatives:

I congratulate you on your safe return and resumption of your labors. It is needless to express confidence in the continued conservation and patriotism of your conduct. I congratulate you on the success of your previous session, and can assure you that the people believe that you have done a great work and put in propulsion factors for the upbuilding of the State; factors that will make historic this assembly.

EDUCATION.

You have laid the broadest foundation for far-reaching educational improvement; you have put in process the accomplishment of facilities which will enable the youth of the land to measure up in educational requirement with any of our sister States, and if carried to the completeness that your provisions authorize, will make Alabama the peer of any. Just as it is the correct policy to take all of the raw material of the State and fashion it into finished and higher priced product; just as it is the correct policy to take the agricultural lands and by proper treatment intensify and enlarge their production, just so you have made it the policy of the State to take the crude material in the shape of the youth of the State, and by putting on and putting in education, intensify the value of the citizenship of the State. The far-reaching importance of these acts will be more and more understood and appreciated as the generations come. Midas, it is said, turned everything that he touched into gold. The touching of the brain of the land with the comprehensive factors for earnest thought and work is vastly more important to the welfare of the State than these attributes ascribed to Midas.

TAX EQUALIZATION.

You have created a State tax commission, and by this means made possible the equalization of tax values throughout the State. I will explain that the report from your tax commissioners is that ninety per cent of those people who pay taxes on property value at sixty per cent are farmers and small holders, and that ninety per cent of those who pay on a property value of less than thirty per cent are large owners and corporations, and that the most vigorous opposition to the validity, equity and exercise of this law are parties who are assessing their property at one-tenth or one-twentieth of the correct value. When you fully understand that without this law there will be constant under assessing of values, making tax dodgers more and more the vogue, and more and more the danger, you will fully appreciate the importance of this law to the State. The operation of this law after a series of years, will, I think demonstrate it as one of the most far-reaching for good of the laws you have passed.

VAGRANCY.

Your vagrancy laws are commendable and are working well.

INTANGIBLE FRANCHISE TAX.

Your intangible franchise tax law in which public service corporations are required to pay taxes to the value of the franchise, a property which earns interest and which is to every intent as much property as any thing else and as much subject to taxation, as much so as a cow, a horse, an acre of land or a stock of goods, in fact more so because it is a gift from the people. This value is intangible, and yet a value you have made taxable. To illustrate: There is a corporation in Birmingham that pays on one and three quarter million dollars valuation, and they have just voted to issue bonds to the

extent of twenty-five millions on that property. But for this intangible tax you could not reach them. Again there is a railroad in this State that I believe is earning interest on eighty thousand dollars per mile, which railroad could possibly be reproduced for thirty-five thousand dollars per mile. It is by means of this tax on intangible property that you are able to reach them and have them pay a reasonable tax on that intangible value. I understand that you will secure taxes on more than thirty millions from this source or taxes equalling \$195,000 this, the first year.

PROTECTION OF GAME AND FISH.

You have made a law for the protection of game and fish so that the extermination of this great property of the State shall cease.

DEALING IN FUTURES.

You have made laws regulating dealing in futures; protecting, so far as you could, the State from this seductive mode of gambling, which gambling was from its very nature destructive and impoverishing to many of our citizens.

LOCAL OPTION.

You have enacted far-reaching local option laws regulating the sale of intoxicating liquors, and with your general elections and dispensary bill have brought nearer to the control of the people the sale of liquors.

INSPECTOR OF JAILS.

You have established the office of inspector of jails, cotton mills and almshouses, and thus having these institutions under State supervision, prevent abuses along this line.

ANTI-FERTILIZER TRUST.

You have appointed a committee to frame anti-fertilizer trusts laws, and laws to prevent the use of worthless fillers and ingredients in the manufacture of fertilizer. When you consider that our farmers buy annually seven million dollars worth of fertilizer, then you can fully realize how important it is to enact a statute giving them full protection.

ENLARGEMENT OF COURTS.

You have enlarged the number of your courts and provided for speedy trials, thereby preventing in a large measure the old method of filling the jails and keeping them full, and by this means either giving the prisoners their liberty or putting them to work for the State or county, and thus securing for them a speedier return to their homes and freeing the State of the expense of their keep.

MILITARY.

You have increased the efficiency of the military, and while at times it would seem that it was money uselessly spent, yet in time of need nothing could be more necessary for the safety of the State, and I, as chief-executive, appreciate the fact that at all times they stand ready at instant call to serve the State. It is a source of greatest security and safety to know that this strong arm of the State, this splendid body of volunteers are ready to respond to duty's call at a moments notice.

OLD SOLDIERS.

You have increased the appropriation for the old soldiers to where it will amount to more than eight hundred thousand dollars per year. I think this the largest appropriation per capita of any State in the south, and it will be a great satisfaction to the State to have made such a largely increased provision for their

care; a sum inadequate at best, but will prevent many an old fellow-countryman from suffering. It must be very satisfactory to you when you consider that you have provided nearly three million dollars for the care of the public schools and the care of the old soldiers; thus giving the very highest keep commensurate with the revenues of the State to these two extremes of our citizenship—those historic battlers for our rights, the old soldier, the generation going out; and those coming battlers for our future, the youth of the land, the generation coming in. God be with them both.

IMMIGRATION.

You have passed an immigration law authorizing the governor to appoint an immigration agent and providing the means for his compensation and his duties. Soon after this bill was passed the attorney general of the United States rendered an opinion regarding the federal laws then in execution and the one going into effect July 1, 1907. The latter regulated immigration and limited the same and the execution of your bill, as I think, making it practically of little avail, as after the 1st of July the efforts of the State would be limited to simple advertisement of the resources of the State, not allowing any direct personal inducements. These duties I thought might be discharged by the commissioner of agriculture, as they are practically now under the laws governing the office. I will state that under the act, I appointed Mr. H. R. deHoll immigration commissioner, and he went to Germany under the charge of the Tennessee Coal and Iron Company bringing over nearly one hundred German immigrants. These immigrants, I understand, are first class and worthy, and we are watching results with much interest. This appointment was limited to this one trip, and there is now no immigration commissioner for the State, nor has the State so far been out any expense. I refer the matter back to you, either for instruction or for any modifications of the law that you may see proper, or repeal it. I recommend the repeal.

JAMESTOWN EXHIBIT.

Your provision for the Alabama exhibit at Jamestown came very late. I appointed commissioners and with them made an effort to get up and get out a creditable exhibit for Alabama. After making several trials, the commission decided that the appropriation came so late that it was doubtful whether we could get up a creditable exhibit, and declared the matter off, which was done.

There was some little expense attached to these preliminaries, but practically all of the appropriation is still in the Treasury unexpended so that if we have not the exhibit, we have the money.

CORPORATIONS IN POLITICS.

You have made laws preventing the unlawful use of money by corporations for political purposes, and when you consider how debauching this has been in the past, and how public service corporations have used money taxed from the people to control the electorate and how many of our citizens were brought by the use of these funds under their debauching influence, you can appreciate the importance of this law.

FRANCHISE TAX.

You have an annual franchise tax on foreign corporations; you have provided a method to secure equalized values from railroads, telegraph and telephone companies, making it so that they shall pay taxes on their property in the same proportion of value that the farmer and business men pay on theirs. You have passed a law establishing a measure of damages for loss and injury to freight and other property, and a remedy for collecting same. Every shipper coming in contact with railroad or express companies will recognize at once the importance of this law. No man can calculate how many citizens of Alabama have sustained loss or injury to freight and property, amounts frequently too

small to bring suit for, and yet, by arbitrary and systematic delays and contentions, have finally been beaten out of their claims.

The intent of this law was to secure the collection of this class of claims by placing the onus and cost of delay and suit where it properly belongs, and securing to the sufferer a collection of their property value without the loss of the whole.

ANTI-PASS LAW

You have made an anti-pass law requiring that our public carriers should charge everybody alike, and destroying the bad influence of the pass system, abolishing the practice of making one class of citizens pay not only their own way, but the way of the man with the pass.

RAILROAD COMMISSION BILL

You have established a railroad commission bill, and I call your attention to the fact that Alabama has been trying to pass this bill for twenty-seven years. This is practically the law of every advanced State, and has been used for the protection and safe-guard of the people. This law should have been enacted years ago. By the failure of the State to establish an absolute restraining power, the cupidity of the public service corporation owners, absentee landlords, all of them, have held the property and the business of the State at their own discretion and taxed at their own desire, this by the absence of a controlling power friendly to the people. Freight rates are so arranged that practically every product of the State is shipped out of the State as raw material, and every article of consumption of the State shipped into the State; a barbarous, destructive, un-economic condition, void of all true State craft and political economy. In addition to the above, we have the highest local freight rates and most arbitrary conditions of any of our sister States.

The extent of this bill is for the railroad commission to equalize and limit the charges of our public service

corporations, and to so arrange freight charges on the productions of the State, between the different parts of the State, to at least secure for the manufacturers and consumers in the State an equal per mile rate for like distances to other sections; and if secured, a most important and valuable right. All of the above will give an inadequate idea of the importance of this law, and unstinted credit is due you for the accomplishment of this act.

DEMURRAGE BILL.

You have passed a demurrage bill. This bill requires that the railroad companies should pay cost for inadequate service, at the same time making the shipper responsible for detention of the property of the railroad. This bill, taken almost entirely from the Virginia statutes, is not drastic, but secures both the interest of the carrier and the shipper; removes from the former the power of making arbitrary and one-sided rules; secures prompt service as to his property and also secures the shipper from the danger of arbitrary and one-sided rules, and secures prompt service from the public carrier—a much needed and important law.

MAXIMUM RATE BILL.

You have passed a maximum rate bill, that is, you have made the freight rates of the State, as made and charged by the railroads themselves, the 1st of January 1907, the maximum rate, not to be increased without process of court or special statute. The wisdom of this is shown by the fact that the day when you were passing the bill the railroads, especially the L. & N. railroad, by telegram changed many of their classifications and rates, increasing some as much as between two hundred to six hundred per cent.

TWO AND ONE-HALF CENT PASSENGER RATE.

You have passed a two and one-half cent passenger rate. This law, taken in connection with the fact that

you forbade the railroads to again contribute money for the purpose of controlling elections, and also forbade the issuance of passes, making everybody pay alike, was very fair. When you take in connection with your act that Arkansas, Indiana, Virginia, Missouri, West Virginia and Ohio have a two cent passenger rate; that a federal judge, McPherson of Missouri, in a recent hearing before his court denied the application for a preliminary injunction demanded by the railroads against the putting of this two cent passenger rate, Judge McPherson stating that the measure had sufficient merit to justify the people in having a trial of it, and refusing to grant an injunction until a reasonable trial had proven its worth.

CLASSIFICATION OF FREIGHT.

You have passed an act placing 110 articles of freight of common production, consumption and use in the same classification and same rate the same articles are carried by the railroads of Georgia, and have been carried by the railroads in Georgia at this same rate for a term of years. Not only this, but the Georgia railroads have carried practically every other item and class of freight at a much lower rate than prevails in Alabama, which classes and items of freight you did not interfere with. I will state that these same 110 items of freight have a lower rate in North Carolina and Virginia than was made by you, and that the general freight lists of these States are lower.

An injunction has been issued against these three laws in the federal court at Montgomery, the railroads claiming that the execution of them would confiscate their property and destroy them. In a similar case held in Iowa, Judge Brewer on the bench, then a federal circuit judge, now a United States supreme court judge, made the following ruling:

"The officers of the railroad company declare that the rates fixed by the commission so reduce the income that it will not suffice to pay the running expenses of the railroad and the interest on its bonded debt, leaving

nothing for dividends for its stockholders. The railroad commission asserts that their schedule was formed to produce eight per cent on the value of the road, after paying cost of maintenance and running expenses. Which view is the correct one, it is impossible to decide from the evidence submitted. There is however, a conclusive way, and it seems to me it is the only one by which this controversy can be settled, and this is by experiment. It can soon be settled which is right—the railroad company's officers or the railroad commission—in their view of the effects of the commission's tariff and rates, by allowing the tariff to go into operation. Where the effect of the rates is doubtful, with the probability that they will prove compensatory, and the amount of business to be effected thereby is comparatively small, I think the courts may well wait for the test of experience. Influenced by these considerations, I am led to refuse the preliminary injunction and to set aside the restraining order heretofore entered."

It would seem that the above decision of Judge Brewer would fit the case of your statutes exactly, because, while this legislation has been called hasty and ill-advised, it is not true. It has been tried before the railroad commission several times and clearly proven that Alabama was greatly discriminated against; it became a direct component part of the State's politics and every essential of the initiative and referendum has been carried out, and at the last election, where it had been discussed for an entire year in every part of the State, the verdict confirming the State's demand was practically unanimous. In fact, this statute of yours limiting the reduction of freight to 110 items was the most moderate of the two policies and reductions advocated before the people and before the State. Nothing was ever more fully discussed, more fully understood or so universally demanded.

COMPARISON WITH OTHER STATES.

Your action was fortified by the experience of Georgia, Carolina and Virginia, as well as other States, as

in all of them where the fight for equalization of rates was made, a lower rate than these made by you was accomplished by them. The railroads there also claimed that it was drastic and destructive, yet the experience and the operation in those States has shown that it was neither. Referring again to the history of Iowa, because it shows that after the establishment of equalized freight rates, put in as they were by Judge Brewer against the protests of the railroads, and the railroads insistent assertion that it would confiscate and destroy them, the facts show the wisdom of Judge Brewer on refusing the injunction; the wisdom of the people in demanding these lower freight rates, because from this equalization of freight rates in that State the property of that State has largely increased; railroad building has largely increased and railroad prosperity is everywhere evident, and the experience of the trial given by Judge Brewer in not allowing the injunction has proven a great success, and no one now thinks of going back to the old method.

For further confirmation in the Iowa case I refer to President Roosevelt's recent speech in Indianapolis in which he distinctly alludes to the good results that come to the railroads and the people as an effect of the people's control of the freight rates and restriction of charges of the railroads as illustrated by the history of the people's control of the railroads in Iowa.

The railroad claimed before the Georgia authorities and the Georgia courts that it would destroy and confiscate them, yet it has proven the reverse. The same has been tried in Mississippi, Iowa, North Carolina and Virginia, and all of these States have a lower freight rate than Alabama is asking for. If it is the history of these States, and it is, that the railroads in their claim that lower rates would be confiscatory and destructive were in error, why should so much credence be given to the same contention when it comes to making the test in Alabama. Experimental stages have passed. The discrimination against Alabama has been proven, and it is a great hardship for Alabama to be forced to go

through court processes on a case already pioneered and worked out and demonstrated.

Alabama has more tonnage per railroad mile and pays a higher freight rate, and it does not cost more to operate.

VIOLATION OF SABBATH.

In addition to this we allow them to ruse in the regular transaction of their business, the seventh day, the Sunday of every civilized people, a day which has come down to us from Sinai as a day of rest both for men and machinery, and we have the Divine declaration that this is the best for all, that we have allowed the railroads to take this day and use it as any other day, working their employes, our fellow-countrymen, and their property to secure gain and increase business. Notwithstanding this adds sixteen and two-thirds per cent to the operative value of their property, yet with this great allowance from our sufferance, with this great concession from our fundamental law, not allowed by Georgia and North Carolina, a concession scarcely allowed any other property, still the rights and demands of the State when it comes to such an equalization of freight charges that the local shippers of the State be protected, that the freight on raw material produced in the State should be so arranged as to give the business interests of the State an equal opportunity to manufacture products of the State within the State, and also to enable the producers of the State to ship the products of the State are denied to the consumers of the State. These divine rights are of the utmost economic advantage and are unnecessarily and absolutely ignored, and the freight tax as made by the public service corporations on the business interests of the State by a combination to prevent competition amounts to a virtual absolute control of the transportation of the State, and to secure this condition for all times, they, by their own admission, have cast around our laws and the legal processes of the State, environments forged for their interests, and practically defy our laws and refuse to give attention to our reasonable demands; refuse our laws even a

fair trial and fair execution. And when you come to consider the effect of these environments they have forged and are forging around your business interests it would look as if they had confidence in your long-suffering the length of which would appear intolerable and impossible to Anglo-Saxons.

WATERED SECURITIES.

The railroads are now paying interests on millions of watered securities, much of which has recently been added to their interest-bearing charges. The L. & N. railroad is paying interest on sixty million more stock than they were a few years ago. The Southern and Central railroads have awakened millions of dormant securities and are now paying interest on them. The Coast Line has added many millions to their outstanding stock. All the railroads have vivified lifeless stuff and fructifying them with dividends, now hold them as in the hands of innocent purchasers and bound under the general generic of the cost of production.

FOURTEENTH AMENDMENT.

The fourteenth amendment, forged immediately after the war in partisan wrath, to enslave the Southern whites and make the negro dominant, is now misused by corrupt corporation trusts to collect from the industries of the people a tax equal to what the traffic will stand; the last rendering and use of this amendment, more lasting, more dangerous and enslaving than the first.

COURT PROCEEDINGS.

The prospects are that the court proceedings will consume years, and the vibrations of the air word the expectations of the railroads that these great measures of yours which carry out the just demands of the people and the just expectations of the State and which should be used to upbuild the State, will be tied up for years. Every phase of the case, long continued, thoroughly un-

derstood, merited and should have had, as laid down by Justice Brewer, through all equity, a fair trial.

Not only have the railroads enjoined this legislation, but they have gone further and demanded through the courts an injunction against the dominance of the State and the States' control of any measure limiting their charges, in other words, the railroads have used all these years your laws which they admit are the most generous to them of any State through which they run, and by which they have acquired a great property built in the largest measure at the expense of the people of the State, and they now say that they are not public service corporations but independent property entirely out of your control and limitation. And that their conduct in your State is subject only to federal laws, and they ignore your laws. This, if continued and established will be destructive of the highest principles of State dominance and will be very dangerous to every property interest of the State.

EXPENSE OF LITIGATION.

I have employed, as your bill allows, attorneys of the highest character and ability who are associated with the attorney-general and are now engaged in the case. The expense of this litigation you will have to meet in the most liberal way, and it is your highest duty to have made most searching investigation, going to the very root of their business, their conduct and their methods; not in an inimical way but to secure information for your own self-protection, not only is there involved in this suit the business of the State, but also your prestige and State rights, and every citizen should feel the danger and should join in with you to secure these just demands from the public service corporations.

STATE DEPOSITORIES.

You have passed a State depository bill taking the large amount of money, more than two millions, which our State treasury had locked up and placed at work

with our banks, taking securities for same in our State bonds.

I would suggest that you provide and have the people vote at the next election for an amendment to our constitution which would allow the State to let money out to the banks on the same security, but at interest. There is no reason why the State should not be benefited by this deposit. With the money thus gained, it would help in the establishment of your schools or other institutions of the State.

BIENNIAL SESSIONS.

I would suggest that you provide to have the people vote at the next election for an amendment to our constitution which will provide for biennial sessions of the Legislature. Four years is a long time between the people and the law-makers. It seems to me entirely too long to properly care for their safety and interests.

COMPULSORY EDUCATION.

You have made generous provisions for the public schools. You should put in process a propaganda to secure attendance. This expenditure is for an organization of the forces of the State for the great civic and commercial struggles of the future. If there is any parent so unnatural as not to give his child or children the advantages of the great liberality of the State, then the State itself for the benefit and welfare of the child, and the welfare of the State should conscribe enlistment and attendance.

HIGH SCHOOLS.

I would recommend that you make provision for the establishment of high schools in those counties of the State which at present have no State school; leaving the execution of same in abeyance until it is demonstrated that the funds of the State will fulfill the expense.

INCREASED APPROPRIATIONS.

You have made new annual increased appropriations of more than eleven hundred and fifty thousand dollars per year. Of this amount over one million per year or four millions for four years go to the schools and old soldiers. I would suggest that you weigh well any further increased appropriations, and if any in your judgment is necessary, make the payment contingent on whether or not the finances of the State are commensurate with same.

CHILD LABOR.

It is just and right that you should provide an effective method for enforcing the child labor law. This could easily be done by empowering the inspector of cotton mills to discharge any boy or girl from the mill who in his judgment is under age, or not in fit condition to work, at the same time providing a penalty for the punishment of the mill owner and the parent for re-employing or re-hiring such parties so discharged without first getting the permission of your inspector.

Will caution you that by an extreme provision of the law you can easily hurt the parties that we are trying to help. We have the poor with us always, and it is as much incumbent upon the business of the State to provide methods of work, and perhaps would be more beneficial to this class of our fellow citizens, than to provide ways how they should work; and we should be exceedingly careful along this line.

LOBBY BILL.

At your recent session, you failed to consider your anti-lobby bill. You have no bill on the calendar more protective of the interest of the people than this. If you will but consider that whenever you touch any large interest for taxes or otherwise, your halls swarm with lobbyists, many of them in the guise of patriots, yet most of them paid agents. When you touch the people's interests, unfortunately, there is no paid lobbyist to rep-

resent them. The protection of their interest, the protection of the best interest of the State demand at your hand an anti-lobby law.

REVENUE BILL.

Your revenue bill was ambiguous as regards the tax on money lenders and created some friction throughout the State because many construed it to mean that any person who lends money, regardless of his business, has to pay a license. The Code committee, as I understand, has restored this feature to read as formerly, limiting the tax to the party whose principal business it is to lend money and who had an office for that purpose, etc.

The revenue bill improperly comprehended a special tax on any party in towns or cities who sells tobacco and cigars. This has been changed so as to embrace only, as I am sure your intent was, to stand dealers in tobacco and cigars, not those who are paying a regular ad valorem tax.

There has been quite a bit of agitation on the franchise tax on foreign corporations, including foreign money lenders. I think this law has been grossly misrepresented and misunderstood. The tax itself is exceedingly fair and liberal to the foreign lenders and directly in line of the constitution, and it is mandatory on you to impose it. This law, by misstatement, has been distorted into such shape that it has the appearance of being dangerous and ill-advised. I am sure that if this act was fully comprehended by parties interested, it would prove in no sense of the word a deterrent to business, and the tax (about one-tenth to one-sixteenth of the amount charged on other business of a similar nature) would not be onerous on any one. In other words, where the banks of Montgomery are charged 2 1-2 per cent taxes, that is, if they are lending money at 6 per cent. by adding the entire tax it would amount to 8 1-2 per cent. The foreign lender of a million dollars pays 1 3-4 mills; or, if he were lending money at 6 per cent and the entire tax was added to the loan, it would be 6 1-6 per cent. This you will see is

not onerous on foreign lenders, and brings hardship and estrangement to no one who wishes to transact business in the State. Yet the money market of the world is at present perturbed and many of our best business men are apprehensive and believe it inexpedient and untimely to introduce changed conditions, however small; and while I think the repeal of the law is a bad precedent and will bring about bad results—for a sovereign State should nominate, make and maintain its own laws in its own way—yet if you think it wise to repeal the clause increasing the franchise charges on foreign money lenders, I will not oppose your action.

SUNDAY OBSERVANCE.

We have three great constitutions, the State, the Federal and the Decalogue. The oldest of these is the decalogue, and on this is built every civilization. One of the cardinal articles of that great constitution coming from Sinai, is to observe the Sabbath; yet, there is not a Sunday but what great freight trains desecrate this day in our State, and yet to the east of us stands Georgia, and North Carolina with the Sabbath preserved as a day of rest to its people. If we could but rest the machinery of our State for one day in the week, this rest given to the nervous system and energies of the great army of railroad employes, would, I have no doubt, prevent many a destructive collision and loss of life. You need not put this in operation at once, but put it in process of accomplishment. Give these employes a day with their families and a day of respite from the intense nerve strain from train service, and we will have the experience of all time to know that he will be better by it. We could make such exceptions and preparations as would be necessary.

On your continued labors; we pray the blessings of God, the Father, and may His blessings abide with you and your work.

The message was ordered spread upon the journal.

ANNOUNCEMENT OF APPOINTMENT.

The Speaker of the House announced the following appointments on standing committees of the House:

Mr. Maner to succeed Mr. Carmichael, of Colbert, on Judiciary committee.

Mr. Fuller to succeed Mr. Carmichael, of Colbert, on Temperance committee.

Mr. Foster was appointed chairman of the standing committee on Penitentiary and Criminal Administration to succeed Mr. Carmichael of Colbert.

Mr. P. B. Mastin was added to the standing committee on Penitentiary and Criminal Administration.

Mr. Foster having resigned, as chairman of the standing committee on Municipal Organization, Mr. Gunter was appointed as chairman.

Mr. King to succeed Mr. Carmichael, of Colbert, on Penitentiary and Criminal Administration.

Mr. Mastin to succeed Mr. Carmichael, of Colbert, on Claims and Fees committee.

Mr. Mastin to succeed Mr. Gunter on Game, Fish and Forestry Preservation.

Mr. Maner to succeed Mr. Carmichael, of Colbert, on Federal Relations committee.

BILLS ON THIRD READING.

The House proceeded to the consideration of the bill: S. 291. To regulate sales of stocks of merchandise in bulk or portions thereof, otherwise than in the ordinary course of trade, and to punish violations of the same.

The question was upon the adoption of the amendment reported by the standing committee on Judiciary.

Mr. Steagall offered the following amendment to the amendment reported by the committee:

Amend the amendment to section one of the bill by striking out the words "under oath" wherever they occur in said bill and by striking out the words section 1 in the amendment and insert in lieu thereof the words "the bill."

And the amendment to the amendment was adopted.

The question recurred upon the adoption of the amendment reported by the committee on Judiciary as amended by the amendment of Mr. Steagall. Pending the consideration of the amendment the hour of one o'clock having arrived and under the rules the House stood adjourned until three o'clock this afternoon.

AFTERNOON SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll of the House the following members answered to their names:

Messrs:—

Speaker	Dudley	Lindsey
Alford	Edwards	Long (Butler)
Altman	Elrod	Long (Morgan)
Armstrong	Foster	Lovelady
Arnold	Glover	Lyons
Avery	Goodwyn	Malone
Ballard (Pike)	Gunter	Maner
Baltzell	Haley	Mastin
Barton	Henley	Middleton
Benners	Hoffman	Mitchell
Benson	Hughston	Moore
Bloch	John	McCrory
Brown	Johnson	McMillan
Bulger	Killen	Norville
Cannon	King	Oliver
Carmichael (Clay)	Kirby	Parker
Coleman (Lowndes)	Lacy (Dallas)	Pearson
Coleman (Marshall)	Lacy (Walker)	Peete
Cooper	Lancaster	Pitts (Dallas)
Cranford	Lawson	Pitts (Perry)
Crum	Lee (Barbour)	Powell (Bullock)
Doyle (Clark)	Lee (Etowah)	Powell (Covington)
Doyle (Marengo)	Lee (Houston)	Power

Pratt	Sanders	Thompson
Price	Sanford	Tunstall
Rugh	Seale	Turner
Ragsdale	Sherrill	Utquhart
Rainer	Smith (Elmore)	Vann
Rattray	Smith (Lee)	Weaver
Rice	Smith (Etowah)	White (Lamar)
Rowe	Smith (Franklin)	White (Perry)
Rushton	Smith (Lee)	Woolf
Sample	Steagall	

—97.

A quorum was present.

On motion of Mr. Steagall one thousand copies of the governor's message were ordered printed.

REPORT OF RULES COMMITTEE.

Mr. John, from the standing committee on Rules, returned to the House the following resolutions with a favorable report:

By Mr. John:

H. J. R. No. 227. Resolved, That during the remainder of this session the House shall meet at 8:30 o'clock a. m., recess from 1 to 3 p. m., and from 6 to 8 p. m.

The night and afternoon sessions shall be devoted exclusively to the consideration of local bills.

No bill shall be made a special order before the report of the committee on the Revision of the Journal.

And the resolution was adopted.

By Mr. Carmichael, of Colbert:

H. R. No. 230. That rule 16 be amended so as to read as follows:

16. When a question is before the House, motions may be received in the following order, to-wit: First to fix the time to which the House shall adjourn; second, to adjourn; third, to lay on the table; fourth, for the previous question; fifth, to postpone to a certain

day, not beyond the probable duration of the session; sixth, to commit; seventh, to amend; eighth, to indefinitely postpone.

On motion of Mr. John, three hundred copies of the rules were ordered printed.

PRIVILEGES OF THE FLOOR.

On motion of Mr. Goodwyn the privileges of the floor were extended to Dr. Palmer, president of the Alabama Girls' Industrial School.

BILLS ON THIRD READING.

H. 469. To amend section 12 of an act, To grant a new charter to the Alabama Girls' Industrial School, approved March 4, 1901, and to confer additional powers on the trustees of the school.

Was read a third time, at length, and passed.

Yeas, 61; nays, 1.

Yeas:

Messrs:—

Speaker	Dudley	Lovelady
Altman	Edwards	Malone
Arpold	Elrod	Maner
Avery	Foster	Mastin
Baltzell	Fuller	Mitchell
Barton	Glover	McCrory
Benners	Gunter	Parker
Benson	Haley	Pearson
Bloch	Henley	Peete
Brown	Hughston	Pitts (Dallas)
Bulger	John	Powell (Bullock)
Cannon	Johnson	Power
Garmichael (Clay)	Killen	Fratt
Coleman (Lowndes)	King	Price
Cooper	Kirby	Pugh
Cranford	Lee (Houston)	Rattray
Crum	Long (Butler)	Rice
Doyle (Marengo)	Long (Morgan)	Rewe

Rushton	Seale	Steagall
Sample	Sherrod	Weaver
Sanders	Smith (Elmore)	White (Lamar)
Sanford	Smith (Lee)	White (Perry)

—61.

Nays:

Mr. Lancaster

—1.

H. 1. To amend section 3963 of the Code of 1896.

Was taken up. Mr. Haley offered the following amendment:

Amend by striking out "two hundred and twenty-five" where said words appear and insert in lieu thereof the words "seven hundred and fifty."

On motion of Mr. Rushton, the amendment offered by Mr. Haley was laid upon the table.

Mr. Mitchell offered the following amendment to the bill:

Amend by adding at the end of the bill:

Provided, that the tax assessors shall reside and have an office within one mile of the court house.

On motion of Mr. Pitts (of Dallas) the amendment offered by Mr. Mitchell was laid upon the table.

On motion of Mr. Ragsdale, the bill, H. No. 1, was laid upon the table.

H. 41. To regulate the employment of railroad telegraphers and the establishment of a board of telegraph examiners.

Was taken up. Mr. Sherrod offered the following amendment:

Amend the bill by striking out the words "May", where the same occurs in sections 2 and 3 thereof, and inserting in lieu thereof, the word "September", in each of said sections.

Also by striking out the words "September" where the same occurs in section 8 of said bill, and inserting in lieu thereof the word "October", wherever the same occurs in said section.

The amendment was adopted.

Yeas, 49; nays, 16.

Yeas:**Messrs:—**

Speaker	Doyle (Marengo)	Maner
Altman	Dudley	Mitchell
Arnold	Edwards	Parker
Baltzell	Elrod	Powell (Bullock)
Barton	Fuller	Price
Benners	Glover	Pugh
Benson	Goodwyn	Ragsdale
Bloch	Gunter	Rattray
Brown	Henley	Rice
Bulger	Hughston	Rowe
Cannon	John	Sample
Carmichael (Clay)	Johnson	Sherrod
Coleman (Marshall)	King	Smith (Etowah)
Cooper	Lee (Barbour)	Smith (Franklin)
Cranford	Long (Morgan)	Turner
Crum	Lovelady	Vann
Doyle (Clark)		

—49.

Nays:**Messrs:—**

Avery	Pitts (Dallas)	Seale
Foster	Pitts (Perry)	Smith (Elmore)
Haley	Power	Tunstall
Killen	Pratt	White (Lamar)
McCrary	Rushton	White (Perry)
Oliver		

—16.

On motion of Mr. Rice, the bill, H. 41, was laid upon the table.

MESSAGE FROM THE SENATE.**Mr. Speaker:**

The Senate has adopted the joint resolutions herewith sent:

S. J. R. 57. Whereas, the streams of Alabama have been depopulated of fish on account of inadequate laws in the past to restrain the reckless hand of those who

persisted in seining, netting and dynamiting the fish of Alabama, and since this Legislature has enacted ample statutes to protect the streams of this State in the future from the ravages formerly visited on our supply of fish, and has inaugurated a warden system to vigilantly enforce these laws;

Therefore, be it resolved by the Senate, the House concurring, that Congress be, and the same is hereby memorialized to establish a fish hatchery in Alabama; to the end that our streams may receive more attention in the future and that they may be restocked with fish adaptable to our waters;

Resolved, further, that a copy of this resolution be forwarded by the secretary of State to each of the United States Senators from Alabama and to each Alabama member of the House of Representatives.

S. J. R. No. 59. Resolved by the Senate, the House concurring:

(1) That when the respective houses adjourn on Tuesday, July 9th, it be to meet again on Friday, July 12th, at the regular hour of meeting as fixed by the rule or resolution of each House.

(2) That when the respective Houses adjourn on Monday, July 15th, it be to meet again on Wednesday, July 17th, at the regular hour for meeting as fixed by the rule or resolution of each House.

(3) That when the respective Houses adjourn on Friday, July 19th, it be to meet again on Monday, July 22nd, at the regular hour for meeting as fixed by rule or resolution of each House.

(4) That when the respective Houses adjourn on Thursday, July 25th, it be to meet again on Saturday, July 27th, at the regular hour for meeting as fixed by the rule or resolution of each House.

(5) That on the days on which the Legislature is not in session, Sunday excepted, the standing committees of each House are instructed and directed to sit for the consideration of such bills and other matters as have been referred to the committee.

S. J. R. 60. Be it resolved by the Senate, the House concurring, that the door-keeper of the Senate be and he

is hereby authorized and empowered to employ one servant for the Senate in addition to those already employed for the remainder of this session of the Legislature and whose salary shall be \$2.50 per diem to be certified and paid as that of other employes of the Senate.

And has concurred in H. J. R. No. 223.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate joint resolution No. 57 was concurred in and adopted. And the Senate joint resolutions Nos. 59, and 60, were read one time and referred to the standing committee on Rules.

REPORT OF RULES COMMITTEE.

The Speaker (Mr. King presiding) chairman of the standing committee on Rules, returned to the House S. J. R. No. 59, with a favorable report with the following amendment:

"Amend by striking out all of the resolution except section 1.

And the amendment was adopted.

And the resolution, as amended, was adopted.

BILL ON THIRD READING.

H. 134. To provide for the assessment and collection of poll taxes.

Was read a third time, at length, and passed.

Yeas, 53; nays, 5.

Yeas:

Messrs:—

Speaker	Cannon	Edwards
Armstrong	Coleman (Marshall)	Foster
Avery	Cooper	Fuller
Barton	Crum	Glover
Benners	Doyle (Clark)	Goodwyn
Benson	Doyle (Marengo)	Haley

Henley	Peete	Rushton
Hughston	Pitts (Dallas)	Sanders
John	Pitts (Perry)	Sherrod
Johnson	Powell (Bullock)	Smith (Elmore)
Killen	Power	Smith (Franklin)
Lancaster	Pratt	Steagall
Lee (Barbour)	Price	Vann
Malone	Pugh	Weaver
Mitchell	Ragsdale	White (Lamar)
Oliver	Rattray	White (Perry)
Parker	Rice	Williams
Pearson	Rowe	

—53.

Nays:

Messrs:—

Carmichael (Clay)
DudleyElrod
McCrory

Seale

—5.

RESOLUTIONS.

The following resolutions were introduced:

By Mr. Maner:

H. J. R. No. 231. Be it resolved by the House of Representatives, That,

Whereas, the consideration of the resolutions drafted by the committee appointed by the House of Representatives to take suitable action on account of the death of our lamented Speaker, William L. Martin, was postponed until the second legislative day of the present session of the Legislature; and,

Whereas, it is the sense of the House of Representatives that Thursday evening, July 11, 1907, would be more appropriate to consider said resolutions;

Now, therefore, be it resolved that the evening of Thursday, July 11, 1907, at 8 o'clock be and the same is hereby set apart as a suitable and fit memorial occasion for the consideration of said resolutions; and be it further resolved that the Senate and the public generally be and the same are hereby especially invited to meet with the House of Representatives in the Capitol building at Montgomery on said evening of July 11, 1907, and

participate in the memorial exercises there and then to be held in commemoration of the life and services of the said William L. Martin.

On motion of Mr. Maner the rules were suspended and the resolution was adopted.

By Mr. Smith, of Elmore:

H. R. 232. Resolved, that H. B. 592, "A bill to be entitled an act to prohibit the employment of any person to labor in or about any cotton factory in this State for more than ten hours a day" be made a special continuing special order for Thursday, July 11th, 1907, immediately after the reading of the Journal.

And the resolution was referred to the committee on Rules.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House amendment to Senate joint resolution No. 59.

J. A. Kyle,
Secretary.

ADJOURNMENT.

The hour having arrived, the House adjourned until 8 o'clock tonight.

NIGHT SESSION.

The House met pursuant to adjournment.

On a call of the roll the following members answered to their names:

Messrs:—

Speaker	Ballard (Pike)	Cooper
Altman	Benson	Cranford
Armstrong	Brown	Doyle (Clark)
Arnold	Cannon	Doyle (Marengo)
Avery	Carmichael (Clay)	Elrod

Foster	Moore	Rushton
Fuller	McCrary	Sample
Glover	Norville	Sanders
Haley	Parker	Sanford
Henley	Pearson	Seale
Hoffman	Peete	Sherrod
Hughston	Pitts (Perry)	Smith (Elmore)
John	Powell (Covington)	Smith (Etowah)
Johnson	Power	Smith (Franklin)
Jones	Pratt	Smith (Lee)
Killen	Price	Tunstall
Kornegay	Pugh	Weaver
Lacy (Walker)	Ragsdale	White (Lamar)
Long (Morgan)	Rattray	White (Perry)
Lyons	Rice	Williams
Mastin	Rowe	Woolf
Mitchell		

—64.

A quorum was present.

PRIVILEGES OF THE FLOOR.

The privileges of the floor were extended to Hon. M. B. Curry, of Pickens, and Hon. I. W. McAdory, of Jefferson, for the night session.

BILLS ON THIRD READING.

H. 752. To vacate and annul that part of Ninth street from the alley extending through blocks 228 and 229 on which is the right of way of the Louisville and Nashville R. R. south of the alley extending east and west through blocks 268 and 269 and also that part of Seventh street that extends from the right of way of the Louisville and Nashville R. R. south to the right of way of the Southern Railway company in the town of North Birmingham, Ala., as public streets or highways and to annul and extinguish the dedication thereof.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Pitts (Perry)
Altman	Hoffman	Powell (Covington)
Armstrong	Hughston	Power
Arnold	John	Pratt
Avery	Johnson	Pugh
Ballard (Pike)	Killen	Ragsdale
Benson	Kornegay	Rainer
Brown	Lacy (Walker)	Rattray
Cannon	Lee (Houston)	Rowe
Carmichael (Clay)	Long (Morgan)	Rushton
Cranford	Lyons	Sample
Doyle (Clark)	Mastin	Sanders
Doyle (Marengo)	Mitchell	Smith (Elmore)
Elrod	Moore	Smith (Etowah)
Foster	McCrary	Smith (Lee)
Fuller	Norville	Tunstall
Glover	Parker	Weaver
Goodwyn	Pearson	White (Lamar)
Haley	Peete	

—56.

H. 766. To amend section 1 of an act, approved February 15, 1899, entitled "An act to amend an act entitled an act to establish the Tuscaloosa county law and equity court, approved December 9th, 1896.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Cranford	Hoffman
Altman	Doyle (Clark)	Hughston
Armstrong	Doyle (Marengo)	John
Arnold	Elrod	Johnson
Avery	Foster	Killen
Ballard (Pike)	Fuller	Kornegay
Benson	Glover	Lacy (Walker)
Brown	Goodwyn	Lee (Houston)
Cannon	Haley	Long (Morgan)
Carmichael (Clay)	Henley	Lyons

Mastin	Powell (Covington)	Sample
Mitchell	Power	Sanders
Moore	Pratt	Smith (Elmore)
McCrory	Pugh	Smith (Etowah)
Norville	Ragsdale	Smith (Lee)
Parker	Rainer	Tunstall
Pearson	Ratray	Weaver
Peete	Rice	White (Lamar)
Pitts (Perry)	Rowe	

—56.

H. 129. To repeal an act entitled an act to establish a board of police commissioners for the city of Bessemer, Alabama, to provide for the appointment of such commissioners, to define their powers and duties and to regulate the police department of the city, approved March 3rd, 1903.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Pitts (Perry)
Altman	Hoffman	Powell (Covington)
Armstrong	Hughston	Power
Arnold	John	Pratt
Avery	Johnson	Pugh
Ballard (Pike)	Killen	Ragsdale
Benson	Kornegay	Rainer
Brown	Lacy (Walker)	Ratray
Cannon	Lee (Houston)	Rowe
Carmichael (Clay)	Long (Morgan)	Rushton
Cranford	Lyons	Sample
Doyle (Clark)	Mastin	Sanders
Doyle (Marengo)	Mitchell	Smith (Elmore)
Elrod	Moore	Smith (Etowah)
Foster	McCrory	Smith (Lee)
Fuller	Norville	Tunstall
Glover	Parker	Weaver
Goodwyn	Pearson	White (Lamar)
Haley	Peete	

—56.

H. 810. To establish a board of revenue for Houston county.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Pitts (Perry)
Altman	Hoffman	Powell (Covington)
Armstrong	Hughston	Power
Arnold	John	Pratt
Avery	Johnson	Pugh
Ballard (Pike)	Killen	Ragsdale
Benson	Kornegay	Rainer
Brown	Lacy (Walker)	Ratray
Cannon	Lee (Houston)	Rowe
Carmichael (Clay)	Long (Morgan)	Rushton
Cranford	Lyons	Sample
Doyle (Clark)	Mastin	Sanders
Doyle (Marengo)	Mitchell	Smith (Elmore)
Elrod	Moore	Smith (Etowah)
Foster	McCrary	Smith (Lee)
Fuller	Norville	Tunstall
Glover	Parker	Weave.
Goodwyn	Pearson	White (Lamar)
Haley	Peete	

—56.

H. 774. To detach election precinct number nine (9) in St. Clair County, known as Ragland election precinct, from the southern judicial division of the county and attach the same to and make it a part of the northern judicial division of St. Clair county and to confer jurisdiction with right to hear and try all matters and causes, civil and criminal, arising in said election precinct, on the circuit court, chancery court, probate court, county court and commissioners court of the northern judicial division of said county, with place of holding court at Ashville in said county; in the same manner and to the same extent as if said election precinct had never been attached to and made a part of the southern judicial division of said St. Clair county.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Hoffman	Pitts (Perry)
Altman	Hughston	Powell (Covington)
Armstrong	John	Power
Arnold	Johnson	Pratt
Avery	Killen	Pugh
Ballard (Pike)	King	Ragsdale
Benson	Kornegay	Rainer
Brown	Lacy (Walker)	Ratray
Cannon	Lee (Houston)	Rowe
Carmichael (Clay)	Long (Morgan)	Rushton
Cranford	Lyons	Sample
Doyle (Clark)	Mastin	Sanders
Doyle (Marengo)	Mitchell	Smith (Elmore)
Elrod	Moore	Smith (Etowah)
Foster	McCrory	Smith (Lee)
Fuller	Norville	Tunstall
Glover	Parker	Weaver
Goodwyn	Pearson	White (Lamar)
Haley	Peete	White (Perry)
Henley		

—56.

H. 720. To repeal an act, entitled "An act to prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating cider, bitters or beverages within a radius of six miles of the Methodist church in Gordon, Houston county, Alabama," approved February 6th, 1897.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Benson	Doyle (Marengo)
Altman	Brown	Elrod
Armstrong	Cannon	Foster
Arnold	Carmichael (Clay)	Fuller
Avery	Cranford	Glover
Ballard (Pike)	Doyle (Clark)	Goodwyn

Haley	Mastin	Rainer
Henley	Mitchell	Rattray
Hoffman	Moore	Rowe
Hughston	McCrary	Rushton
John	Norville	Sample
Johnson	Parker	Sanders
Killen	Pearson	Smith (Elmore)
King	Peete	Smith (Etowah)
Kornegay	Pitts (Perry)	Smith (Lee)
Lacy (Walker)	Power	Tunstall
Lee (Houston)	Pratt	Weaver
Long (Morgan)	Pugh	White (Lamar)
Lyon	Ragsdale	White (Perry)

—57.

S. 327. To amend section 7 of an act, entitled an act to amend an act to regulate the trials of misdemeanors in Bibb county, approved December 14, 1894.

Was taken up. Mr. Fuller offered the following amendment to the bill, S. 327:

Amend Senate bill No. 327 by striking out all that part of section 1 of said bill from and including the word "complaints" where it appears in the fourth line of said section 1 of said bill as it is engrossed, to and including the words "Centerville" where it appears in the eighth line of said section 1; and insert in lieu therefor the following words: "cases or prosecutions for any and all violations of the special or local prohibition law for Bibb county, Alabama, for selling, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or intoxicating beverages without a license and contrary to law within the limits of said county, for selling, giving away or otherwise disposing of spirituous, vinous or malt liquors to minors within the limits of said county, and for soliciting orders for the sale of any spirituous, vinous or malt liquors within the limits of Bibb county, or for any violation of any general prohibition law of the State of Alabama within the limits of Bibb county, Alabama, shall be tried exclusively by the circuit court of Bibb

county, Alabama, and the said circuit court shall have exclusive jurisdiction of the said cases; but prosecutions or cases for all other misdemeanors committed in Bibb county, Alabama, and commenced by affidavit, indictment or otherwise and which are now triable by the county court of Bibb county, Alabama, shall be tried by said county court as follows, viz.: all of such cases arising in beats 1, 9, 10, 11 and that part of beat 6 of said county which lies north and west of Little river shall be returnable to and shall be tried at the terms of said county court held at Blocton—that is, in the Blocton division of said court, and all of such cases or prosecutions arising in beats 2, 3, 4, 5, all that part of 6 south and east of Little river, 7, 8 and 12 of said county shall be tried at the terms of said county court held at Centerville that is, in the Centerville division of said county court, and the said county court of Bibb county, Alabama, shall have exclusive jurisdiction of said cases last above named which are now triable in said court.”

And the amendment was adopted.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Moore
Altman	Goodwyn	McCrory
Armstrong	Haley	Norville
Arnold	Henley	Parker
Avery	Hoffman	White (Lamar)
Ballard (Pike)	Hughston	Pearson
Benson	John	Peete
Brown	Johnson	Pitts (Perry)
Cannon	Killen	Powell (Covington)
Carmichael (Clay)	Kornegay	Power
Cranford	Lacy (Walker)	Pratt
Doyle (Clark)	Lee (Houston)	Pugh
Doyle (Marengo)	Long (Morgan)	Ragsdale
Elrod	Lyons	Rainer
Foster	Mastin	Rattray
Fuller	Mitchell	Rowe

Rushton	Smith (Etowah)	Weaver
Sample	Smith (Lee)	White (Perry)
Sanders	Tunstall	White (Lamar)
Smith (Elmore)		—57.

And the bill:

S. 327. To amend section 7 of an act, entitled an act to amend an act to regulate the trials of misdemeanors in Bibb county, approved December 14, 1894.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Peete
Altman	Haley	Pitts (Perry)
Armstrong	Henley	Power
Arnold	Hoffman	Pratt
Avery	Hughston	Pugh
Ballard (Pike)	John	Ragsdale
Barton	Johnson	Rainer
Benson	Killen	Ratray
Brown	Kornegay	Rowe
Cannon	Lacy (Walker)	Rushton
Carmichael (Clay)	Lee (Houston)	Sample
Cooper	Long (Morgan)	Sanders
Cranford	Lyons	Smith (Elmore)
Doyle (Clark)	Mastin	Smith (Etowah)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	Norville	Weaver
Fuller	Parker	White (Lamar)
Glover	Pearson	White (Perry)

—56.

H. 795. To prohibit any person or corporation from selling, giving away, delivering or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating bitters or beverages in Marion county, Alabama, prescribing that a delivery shall constitute a sale, and prescribing a penalty for the violation of said law.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Pitts (Perry)
Altman	Hoffman	Power
Armstrong	Hughston	Pratt
Arnold	John	Pugh
Avery	Johnston	Ragsdale
Benson	Killen	Rainer
Brown	Kornegay	Ratray
Cannon	Lacy (Walker)	Rowe
Carmichael (Clay)	Lee (Houston)	Rushton
Cooper	Long (Morgan)	Sample
Cranford	Lyons	Sanders
Doyle (Clark)	Mastin	Smith (Elmore)
Doyle (Marengo)	Mitchell	Smith (Etowah)
Elrod	Moore	Smith (Lee)
Foster	McCrary	Tunstall
Fuller	Norville	Weaver
Glover	Parker	White (Lamar)
Goodwyn	Pearson	White (Perry)
Haley	Peete	

—56.

H. 817. To repeal an act entitled an act to provide a fund to be used exclusively for the support of a paid fire department in the city of Mobile, approved February 21st, 1889.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Cooper	Henley
Altman	Cranford	Hoffman
Armstrong	Doyle (Clark)	Hughston
Arnold	Doyle (Marengo)	John
Avery	Elrod	Johnson
Ballard (Pike)	Foster	Killen
Benson	Fuller	Kornegay
Brown	Glover	Lacy (Walker)
Cannon	Goodwyn	Lee (Houston)
Carmichael (Clay)	Haley	Long (Morgan)

Lyons	Pitts (Perry)	Sample
Mastin	Power	Smith (Elmore)
Mitchell	Pratt	Smith (Etowah)
Moore	Pugh	Smith (Lee)
McCrory	Ragsdale	Tunstall
Norville	Rainer	Weaver
Parker	Rattray	White (Lamar)
Pearson	Rowe	White (Perry)
Peete	Rushton	

—56.

H. 551. To amend an act entitled an act to authorize and require the commissioners' court of Pickens county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury, and the clerk of the circuit court of said county, fees which by law become a good claim against the fine and forfeiture fund of said county as hereinafter provided in section two of this act, and to regulate the manner of said payments, and fixing the amount of said witness fee, approved December 13, 1900.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Lyons
Altman	Fuller	Mastin
Armstrong	Glover	Mitchell
Arnold	Goodwyn	Moore
Avery	Haley	McCrory
Ballard (Pike)	Henley	Norville
Benson	Hoffman	Parker
Brown	Hughston	Pearson
Cannon	John	Peete
Carmichael (Clay)	Johnson	Pitts (Perry)
Cooper	Killen	Power
Cranford	Kornegay	Pratt
Doyle (Clark)	Lacy (Walker)	Pugh
Doyle (Marengo)	Lee (Houston)	Ragsdale
Elrod	Long (Morgan)	Rainer

Rattray	Smith (Elmore)	Weaver
Rowe	Smith (Etowah)	White (Lamar)
Rushton	Smith (Lee)	White (Perry)
Sanders	Tunstall	

—56.

H. 360. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any of the voting precincts of Crenshaw county, Alabama, and to make it unlawful for the probate judge of said county to issue licenses to any person, firm or corporation, to sell, give away or otherwise dispose of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any precinct of said county until the proposition shall have first been submitted to the qualified voters of the precinct in which the aforesaid liquors are to be sold, given away or otherwise disposed of, and to provide for an election therefor and the expenses of holding an election and to punish the violations of the provisions of this act.

Was taken up. Mr. Rushton offered the following amendment to the bill, H. 360:

Amend by striking out section eight and inserting in lieu thereof the following section:

Section 8. That this act shall not be so construed as to repeal any act establishing a dispensary in said county nor to repealing any act incorporating any church or school house in said county. Provided, this act shall be null and void and of no force after the 26th day of February, 1909.

And the amendment was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Benson	Doyle (Clark)
Altman	Brown	Doyle (Marengo)
Armstrong	Cannon	Elrod
Arnold	Carmichael (Clay)	Foster
Avery	Cooper	Fuller
Ballard (Pike)	Cranford	Glover

Goodwya	Mastin	Rainer
Haley	Mitchell	Ratray
Henley	Moore	Rowe
Hoffman	McCrory	Rushton
Hughston	Norville	Sanders
John	Parker	Smith (Elmore)
Johnson	Pearson	Smith (Etowah)
Killen	Peete	Smith (Lee)
Korregay	Pitts (Perry)	Tunstall
Lacy (Walker)	Power	Weaver
Lee (Houston)	Pratt	White (Lamar)
Long (Morgan)	Pugh	White (Perry)
Lyons	Ragsdale	

—56.

And the bill:

H. 360. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any of the voting precincts of Crenshaw county, Alabama, and to make it unlawful for the probate judge of said county to issue licenses to any person, firm or corporation, to sell, give away or otherwise dispose of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any precinct of said county until the proposition shall have first been submitted to the qualified voters of the precinct in which the aforesaid liquors are to be sold, given away or otherwise disposed of, and to provide for an election therefor and the expenses of holding an election and to punish the violations of the provisions of this act.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Benson	Doyle (Clark)
Altman	Brown	Doyle (Marengo)
Armstrong	Cannon	Elrod
Arnold	Carmichael (Clay)	Foster
Avery	Cooper	Fuller
Ballard (Pike)	Cranford	Glover

Goodwyn	Mastin	Ragsdale
Haley	Mitchell	Rainer
Henley	Moore	Rattray
Hoffman	McCrary	Rowe
Hughston	Norville	Rushton
John	Parker	Smith (Elmore)
Johnston	Pearson	Smith (Etowah)
Killen	Peete	Smith (Lee)
Kornegay	Pitts (Perry)	Tunstall
Lacy (Walker)	Powell (Covington)	Weaver
Lee (Houston)	Power	White (Lamar)
Long (Morgan)	Pratt	White (Perry)
Lyons	Puga	

—56.

H. 525. To amend section 3931 of the Code of Alabama so far as the same relates to Pike county.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Ways and Means, said amendment being as follows:

Amend by striking out the words "assessor of Tuscaloosa county," and adding in lieu therefor the words, "assessors of the counties of Tuscaloosa and Pike," and amend further by striking out the following words in section one: "And provided further that the tax assessors of Pike county shall not be required to visit any of the election precincts of said county except the precinct in which the court house of said county is located."

And the amendment was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Cannon	Fuller
Altman	Carmichael (Clay)	Glover
Armstrong	Cooper	Goodwyn
Arnold	Cranford	Haley
Avery	Doyle (Clark)	Henley
Ballard (Pike)	Doyle (Marengo)	Hoffman
Benson	Elrod	Hughston
Brown	Foster	John

Johnson	Norville	Rowe
Killen	Parker	Rushton
Kornegay	Pearson	Sanders
Lacy (Walker)	Peete	Smith (Elmore)
Lee (Houston)	Pitts (Perry)	Smith (Etowah)
Long (Morgan)	Power	Smith (Lee)
Lyons	Pratt	Tunstall
Mastin	Pugh	Weaver
Mitchell	Ragsdale	White (Lamar)
Moore	Rainer	White (Perry)
McCrory	Ratray	

—56.

And the bill:

H. 525. To amend section 3931 of the Code of Alabama so far as the same relates to Pike county.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Peete
Altman	Henley	Pitts (Perry)
Armstrong	Hoffman	Power
Arnold	Hughston	Pratt
Avery	John	Pugh
Beillard (Pike)	Johnston	Ragsdale
Benson	Killen	Rainer
Brown	Kornegay	Ratray
Cannon	Lacy (Walker)	Rowe
Carmichael (Clay)	Lee (Houston)	Rushton
Cooper	Long (Morgan)	Sanders
Cranford	Lyons	Smith (Elmore)
Doyle (Clark)	Mastin	Smith (Etowah)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	McCrory	Weaver
Fuller	Norville	White (Lamar)
Glover	Parker	White (Perry)
Goodwyn	Pearson	

—56.

S. 233. To fix the time for holding the circuit court of Randolph county, and to fix the term for the same.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Peete
Altman	Henley	Pitts (Perry)
Armstrong	Hoffman	Powell (Covington)
Arnold	Hughston	Power
Avery	John	Pratt
Ballard (Pike)	Johnson	Pugh
Benson	Killen	Ragsdale
Brown	Kornegay	Rainer
Cannon	Lacy (Walker)	Ratray
Carmichael (Clay)	Lee (Houston)	Rowe
Cooper	Long (Morgan)	Rushton
Cranford	Lyons	Smith (Elmore)
Doyle (Clark)	Mastin	Smith (Etowah)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	McCrory	Weaver
Fuller	Norville	White (Lamar)
Glover	Parker	White (Perry)
Goodwyn	Pearson	

—56.

H. 839. To better provide for the working the public roads in Pike county, Alabama, prescribe rules and regulations for the same and prescribe penalties for the violation of the provisions of this act.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Benson	Doyle (Clark)
Altman	Brown	Doyle (Marengo)
Armstrong	Cannon	Elrod
Arnold	Carmichael (Clay)	Foster
Avery	Cooper	Fuller
Ballard (Pike)	Cranford	Glover

Goodwyn	Mastin	Rainer
Haley	Mitchell	Rattray
Henley	Moore	Rowe
Hoffman	McCrary	Rushton
Hughston	Norville	Sanders
John	Parker	Smith (Elmore)
Johnson	Pearson	Smith (Etowah)
Killen	Peete	Smith (Lee)
Kornegay	Pitts (Perry)	Tunstall
Lacy (Walker)	Power	Weaver
Lee (Houston)	Pratt	White (Lamar)
Long (Morgan)	Pugh	White (Perry)
Lyons	Ragsdale	

—56.

H. 705. To change the boundary line of the incorporation of the town of Wilsonville in Shelby county, Alabama.

Was read a third time, at length, and passed.
Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Pitts (Perry)
Altman	Henley	Powell (Covington)
Armstrong	Hoffman	Power
Arnold	Hughston	Pratt
Avery	John	Pugh
Ballard (Pike)	Johnson	Ragsdale
Benson	Killen	Rainer
Brown	Kornegay	Rattray
Cannon	Lacy (Walker)	Rowe
Carmichael (Clay)	Lee (Houston)	Rushton
Cooper	Lyons	Smith (Elmore)
Cranford	Mastin	Smith (Etowah)
Doyle (Clark)	Mitchell	Smith (Lee)
Doyle (Marengo)	Moore	Steagall
Elrod	McCrary	Tunstall
Foster	Norville	Weaver
Fuller	Parker	White (Lamar)
Glover	Pearson	White (Perry)
Goodwyn	Peete	

—56.

S. 266. To make the office of judge of the city court of Anniston, in Calhoun county, Alabama, elective by the qualified electors of Calhoun county, Alabama.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Pearson
Altman	Henley	Peete
Armstrong	Hoffman	Pitts (Perry)
Arnold	Hughston	Power
Avery	John	Pratt
Ballard (Pike)	Johnson	Pugh
Benson	Killen	Ragsdale
Brown	Kornegay	Rainer
Cannon	Lacy (Walker)	Rattray
Carmichael (Clay)	Lee (Houston)	Rowe
Cooper	Long (Morgan)	Rushton
Cranford	Lyons	Smith (Elmore)
Doyle (Clark)	Mastin	Smith (Etowah)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	McCrary	Weaver
Fuller	Norville	White (Lamar)
Glover	Parker	White (Perry)
Goodwyn		

—56.

H. 847. To fix the salary of the judge of the city court of Anniston, and to provide for the payment of the same.

Was taken up. Mr. Arnold offered the following substitute for the bill, H. 847, said substitute being as follows:

A BILL

To be entitled an act to provide for the payment of the salary of the judge of the city court of Anniston and to fix the amount of the same at thirty-five hundred dollars.

Section 1. Be it enacted by the Legislature of Alabama, That from the passage and approval of this act,

the salary of the judge of the city court of Anniston shall be the sum of thirty-five hundred dollars per annum, which shall be payable monthly.

Section 2. That of said salary, the sum of three thousand dollars shall be paid by the State, in the manner as provided by law for the payment of the salaries of circuit judges, which sum is hereby appropriated for that purpose.

Section 3. That the sum of five hundred dollars shall be paid out of the general fund of the county treasury of Calhoun county, upon the order of the presiding judge.

And the substitute was adopted.

Yeas, 48; nays, 9.

Yeas:

Messrs:—

Speaker	Hughston	Parker
Alford	John	Pearson
Altman	Johnson	Peete
Arnold	Jones	Power
Avery	Kirby	Pratt
Ballard (Pike)	Kornegay	Pugh
Benners	Lacy (Walker)	Rainer
Carmichael (Clay)	Long (Morgan)	Rattray
Coleman (Lowndes)	Lovelady	Rowe
Cranford	Lyons	Rushton
Foster	Malone	Sample
Glover	Maner	Sanders
Goodwyn	Mastin	Sanford
Gunter	Mitchell	Smith (Elmore)
Haley	McCrory	Tunstall
Henley	McMillan	Williams
Hoffman		

—48.

Nays:

Messrs:—

Cannon	Killen	Smith (Stowah)
Coleman (Marshall)	Moore	White (Perry)
Cooper	Sherrod	

—9.

And the bill:

H. 847. To fix the salary of the judge of the city court of Anniston, and to provide for the payment of the same.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 48; nays, 9.

Yeas:

Messrs:—

Speaker	Hughston	Parker
Alford	John	Pearson
Altman	Johnson	Peete
Arnold	Jones	Power
Avery	Kirby	Pratt
Ballard (Pike)	Kornegay	Pugh
Benners	Lacy (Walker)	Rainer
Carmichael (Clay)	Long (Morgan)	Ratray
Coleman (Lowndes)	Lovelady	Rowe
Cranford	Lyons	Rushton
Glover	Malone	Sample
Goodwyn	Maner	Sanders
Gunter	Mastin	Sanford
Haley	Mitchell	Smith (Elmore)
Henley	McCrary	Tunstall
Hoffman	McMillan	Williams

—48.

Nays:

Messrs:—

Cannon	Fuller	Sherrod
Coleman (Marshall)	Killen	Smith (Etowah)
Cooper	Moore	White (Perry)

—9.

H. 686. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23rd, 1899, acts 1898-99, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof, to the law and equity court of Madison county, and to

give such court jurisdiction of such causes and proceedings, and full power and authority thereover.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Peete
Altman	Henley	Pitts (Perry)
Armstrong	Hoffman	Powell (Covington)
Arnold	Hughston	Power
Avery	John	Pratt
Ballard (Pike)	Johnson	Pugh
Benson	Killen	Ragsdale
Brown	Kornegay	Rainer
Cannon	Lacy (Walker)	Rattray
Carmichael (Clay)	Lee (Houston)	Rowe
Cooper	Long (Morgan)	Rushton
Cranford	Lyons	Smith (Elmore)
Doyle (Clark)	Mastin	Smith (Etowah)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	McCrory	Weaver
Fuller	Norville	White (Lamar)
Glover	Parker	White (Perry)
Goodwyn	Pearson	

—56.

H. 687. To repeal all statutes and laws establishing county courts, and proceedings therein, with monthly terms, for the trial of misdemeanors, (Code section 4593 et seq.) so far as the county court of Madison is concerned.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Ballard (Pike)	Cooper
Altman	Benson	Cranford
Armstrong	Brown	Doyle (Clark)
Arnold	Cannon	Doyle (Marengo)
Avery	Carmichael (Clay)	Elrod

Foster	Long (Morgan)	Price
Fuller	Lyons	Ragsdale
Glover	Mastin	Ralner
Goodwyn	Mitchell	Rattray
Haley	Moore	Rowe
Henley	McCrory	Rushton
Hoffman	Norville	Smith (Elmore)
Hughston	Parker	Smith (Etowah)
John	Pearson	Smith (Lee)
Johnson	Peete	Tunstall
Kirby	Pitts (Perry)	Weaver
Kornegay	Powell (Covington)	White (Lamar)
Lacy (Walker)	Power	White (Perry)
Lee (Houston)	Pratt	

—56.

H. 690. To require the county board of education of Wilcox county to audit and pass upon the accounts of the district trustees of the several school districts in Wilcox county, of the funds paid over to them by the superintendent of education of Wilcox county, arising out of the dispensary at Camden to be used by them for school purposes.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Doyle (Marengo)	Kornegay
Altman	Elrod	Lacy (Walker)
Armstrong	Foster	Lee (Houston)
Arnold	Fuller	Long (Morgan)
Avery	Glover	Lyons
Ballard (Pike)	Goodwyn	Mastin
Benson	Haley	Mitchell
Bloch	Henley	Moore
Cannon	Hoffman	McMillan
Carmichael (Clay)	Hughston	Norville
Cooper	John	Parker
Cranford	Johnson	Pearson
Doyle (Clark)	Killen	Peete

Pltts (Perry)	Rainer	Smith (Lee)
Powell (Covington)	Ratray	Tunstall
Power	Rowe	Weaver
Pratt	Rushton	White (Lamar)
Pugh	Smith (Elmore)	White (Perry)
Ragsdale	Smith (Etowah)	—56.

H. 797. To require the commissioners' court of Marion county to advertise for bids for the building of public bridges and other public improvements for at least thirty days before the same is let in some newspaper published in said county and to provide for the manner of letting or receiving bids for same.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Peete
Altman	Henley	Pitts (Perry)
Armstrong	Hoffman	Powell (Covington)
Arnold	Hughston	Power
Avery	John	Pratt
Ballard (Pike)	Johnson	Pugh
Benson	Killen	Ragsdale
Brown	Kornegay	Rainer
Cannon	Lacy (Walker)	Ratray
Carmichael (Clay)	Lee (Houston)	Rowe
Cooper	Long (Morgan)	Rushton
Cranford	Lyons	Smith (Elmore)
Doyle (Clark)	Mastin	Smith (Etowah)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	McCrory	Weaver
Fuller	Norville	White (Lamar)
Glover	Parker	White (Perry)
Goodwyn	Pearson	—56.

H. 742. To prohibit the sale of intoxicating liquors of every kind, within three miles of the public school.

house at Creola, Mobile county, Alabama, and to provide for the violation of this act.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Peete
Altman	Henley	Pitts (Perry)
Armstrong	Hoffman	Powell (Covington)
Arnold	Hughston	Power
Avery	John	Pratt
Ballard (Pike)	Johnson	Pugh
Benson	Killen	Ragsdale
Brown	Kornegay	Rainer
Cannon	Lacy (Walker)	Rattray
Carmichael (Clay)	Lee (Houston)	Rowe
Cooper	Long (Morgan)	Rushton
Cranford	Lyons	Smith (Elmore)
Doyle (Clark)	Mastin	Smith (Etowah)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	McCrory	Weaver
Fuller	Norville	White (Lamar)
Glover	Parker	White (Perry)
Goodwyn	Pearson	

—56.

H. 224. To repeal an act entitled an act to increase the jurisdiction of justices of the peace, in Marion and other counties, approved February 13, 1891, so far as the same relates to Marion county.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Elrod
Altman	Cannon	Foster
Armstrong	Carmichael (Clay)	Fuller
Arnold	Cooper	Glover
Avery	Cranford	Goodwyn
Ballard (Pike)	Doyle (Clark)	Haley
Benson	Doyle (Marengo)	Henley

Hoffman	Moore	Rainer
Hughston	McCrory	Rattray
John	Norville	Rowe
Johnston	Parker	Rushton
Killen	Pearson	Smith (Elmore)
Kernegay	Peete	Smith (Etowah)
Lacy (Walker)	Pitts (Perry)	Smith (Lee)
Lee (Houston)	Powell (Covington)	Tunstall
Long (Morgan)	Power	Weaver
Lyons	Pratt	White (Lamar)
Mastin	Price	White (Perry)
Mitchell	Ragsdale	

—56.

WITHDRAWAL OF BILL.

Mr. Pratt asked unanimous consent of the House to withdraw a certain bill. Consent was granted and the bill:

H. 571. To authorize the town of Gordo in Pickens county, Alabama, to buy and sell spirituous, vinous and malt liquors and to regulate the sale thereof.

Was withdrawn.

ADJOURNMENT.

On motion of Mr. Sample, the House adjourned until 8:30 o'clock Friday morning, July 12th.

THIRTY-NINTH DAY.

House of Representatives,
Friday, July 12, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by the Rev. Mr. Rice, of the House.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Edwards	Long (Morgan)
Alford	Elrod	Lovelady
Altman	Foster	Lyons
Armstrong	Fuller	Malone
Arnold	Glover	Maner
Arrington	Goodwyn	Mastin
Avery	Gunter	Middleton
Ballard (Autauga)	Hailey	Mitchell
Ballard (Pike)	Henley	Moore
Baltzell	Hoffman	McDuffie
Barton	Hughston	McMillan
Benners	Jenkins	Norville
Benson	John	Oliver
Bloch	Johnson	Parker
Brown	Jones	Pearson
Bulger	Killen	Peete
Burney	Kirby	Pitts (Dallas)
Cannon	Kornegay	Pitts (Perry)
Carmichael (Clay)	Lacy (Dallas)	Powell (Bullock)
Coleman (Lowndes)	Lacy (Walker)	Powell (Covington)
Coleman (Marshall)	Lancaster	Power
Cooper	Lawson	Pratt
Cranford	Lee (Barbour)	Price
Crum	Lee (Etowah)	Pugh
Doyle (Clark)	Lee (Houston)	Ragsdale
Doyle (Marengo)	Lindsey	Rainer
Dudley	Long (Butler)	Rattray

Rice	Smith (Elmore)	Urquhart
Rowe	Smith (Etowah)	Vann
Rushton	Smith (Franklin)	Weaver
Sample	Smith (Lee)	White (Lamar)
Sanders	Steagall	White (Perry)
Seale	Tunstall	Williams
Sherrod	Turner	Woolf

—102.

A quorum was present.

JOURNAL.

Mr. Glover, acting chairman of the standing committee on Revision of the Journal, made the following report:

Mr. Speaker:

Your committee on the Revision of the Journal begs leave to report as follows:

We have examined the Journal for the thirty-eighth day and find the same to be correct. J. T. Glover,
Acting Chairman.

The report of the committee was concurred in and the Journal of the 38th day was approved.

LEAVE OF ABSENCE

Was granted to Mr. McCrory for today.

PRIVILEGES OF THE FLOOR

Were granted Hon. H. Austell, and Hon. R. J. Lyons, of Mobile, for today; Hon. H. S. D. Malory, of Selma, for today; Hon. Thos. J. Stephens, from Lee county, for today; and to Judge Cargile, of Scottsboro, for today.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills have examined the following House bill and joint resolution and beg leave to report the same correctly enrolled:

H. 388. A bill to be entitled an act, to repeal an act entitled an act to incorporate the South Side Reading Club of Birmingham, Ala.," approved February 13, 1897.

H. J. R. 223. Joint resolution of the Legislature of Alabama to give assent to the purposes of the grant made by the act of Congress to provide for an increased annual appropriation for the agricultural experiment station in connection with the Land Grant colleges.

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk; the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill, H. 388, and H. J. R. 223, whose titles are set out in the above and foregoing report from the standing committee on Enrolled Bills.

RESOLUTIONS.

The following resolutions were introduced and referred to appropriate standing committees as follows:

By Mr. Jenkins:

H. R. 233. Be it resolved by the House, That in addition to the clerks now allowed to the committees a clerk be allowed the committee on Counties and County Boundaries.

Rules.

By Mr. Kirby:

H. R. 234. Resolved, that,

S. 131. To submit to the qualified electors of the State, at the general election to be held on the first

Tuesday after the first Monday in November, 1908, for two associate justices of the supreme court, for their consideration an amendment to sections 46 and 48 of article 4 of the constitution so as to provide for biennial sessions of the Legislature.

Be set for Saturday first thing after reports of standing committees.

Rules.

By Mr. Coleman, of Marshall:

H. R. 235. Resolved, that House bill No. 151, To prohibit the disposition of malt, spirituous and vinous liquors in certain localities of this State,

Be made a special order for Monday, July 15, immediately after reading the journals.

Rules.

By Mr. Gunter:

H. R. 236. Resolved, that H. B. 1158, a bill "To be entitled an act to provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act," be made a special, paramount, continuing, exclusive order for Wednesday, July 17th, 1907, immediately after the reading and approval of the journal.

Rules.

By Mr. Bloch:

H. R. 237. Resolved, that H. B. 547, To be entitled an act to amend chapter 78 of the Code of 1896,—Mines and Mining—be made a special, continuing order for Tuesday, July 16, 1907, immediately after the special orders heretofore set for that day.

Rules.

By Mr. Lovelady:

H. R. 238. Resolved, that the following House bills, touching the revenues, be made special continuing orders for Wednesday, 17th day of July, 1907, to-wit:

H. No. 922. To require each and every officer, tribunal or court whose duty it is to assess or value property for taxation at 50 per cent. of its cash value.

- H. No. 987. To impose tax on dogs.
- H. No. 943. Relative to assessment of bank stocks.
- H. No. 1024. Tax on cotton mills heretofore exempt.
- H. No. 1028. Repeals section 22 of act Mch. 7, 1907, as to tax collectors' receipts.
- H. No. 1077. Tax on foreign money lenders.

Rules.

By Mr. Rushton:

H. R. No. 239. Resolved, that House bill No. 737, To amend section 4333 of the Code, relating to appeals in criminal cases—to prevent reversals for mere technicalities—be made a special and continuing order for Tuesday, July 16, immediately after the report of standing committees.

Rules.

By Mr. Rushton:

H. R. 240. Resolved, that House bill No. 908, To make it lawful for the defendant in all prosecutions for libel, or for the publication of papers investigating the official conduct of officers or men in public capacity, or when the matter published is proper for public information, to give in evidence the truth thereof and such evidence shall be good in mitigation, extenuation or justification as the jury may determine, and the jury shall determine the law and the facts under the direction of the court, be made a special continuing order for eleven o'clock Monday, July 15, 1907.

Rules.

By Mr. Lacy, of Walker:

H. R. 241. Resolved, that H. 638, To prohibit the issuance and acceptance of free transportation upon the street railroads within this State and to provide for the punishment thereof, be made a continuing special order for Monday, July 15th, immediately after the report of the committee on the Revision of the Journal.

By Mr. Long, of Butler:

H. R. 242. Resolved, that H. B. 781, To prevent the running of freight trains on Sunday, be made a special order as soon as possible by the Rules committee.

Rules.

By Mr. Smith, of Elmore:

H. R. 243. Resolved, that H. B. 641, To appropriate \$2,500.00, with amendment, to the Electric High School, be made a special and continuing order for Wednesday, the 17th day of July, 1907.

Rules.

By Mr. Rattray:

H. R. 245. Resolved, that H. B. 872, To provide for the establishment of high schools, etc., be made a special, continuing order for

Rules.

By Mr. Carmichael, of Clay:

H. R. 246. Resolved, by the House, that House bill 779, To amend sections two and five of an act entitled an act to provide for the recovery to the State of lands not legally patented and to settle disputed titles, approved Feb'y. 23rd, 1899, be made a special, continuing order for Tuesday, the 18th inst.

Rules.

Mr. Steagall introduced the following resolution and on motion of Mr. Steagall the rules were suspended and the resolution was adopted:

By Mr. Steagall:

H. J. R. 244. Resolved, by the House, the Senate concurring, that the House and Senate meet in joint convention in the Hall of the House of Representatives at 4:30 p. m. today to pay tribute to the life, character and services of the late Speaker of the House of Representatives, Hon. William L. Martin.

MESSAGE FROM THE GOVERNOR.

Montgomery, Ala., July 12th, 1907.

To the House of Representatives:

I hereby return H. B. No. 692, entitled an act, "To amend section 6, 9, 10, 16, 17, 19 and 20 of an act entitled an act, "to provide for the redistricting of the public schools of the State and for the management and

control of the same," approved September 30th, 1903, and I suggest and recommend the following amendment thereto, viz.:

1. Amend section 5 of said act by inserting therein immediately after the words: "Superintendent of Education of the State," the following words, "by and with the consent and approval of the governor."

B. B. Comer,
Governor.

On motion of Mr. Arnold, the amendment proposed by the governor to H. 692 was concurred in and adopted.

Yeas, 65; nays, 5.

Yeas:

Messrs:—

Speaker	Kirby	Pugh
Armstrong	Lacy (Walker)	Ragsdale
Arnold	Lancaster	Rainer
Avery	Lawson	Rattray
Barton	Lee (Barbour)	Rice
Benson	Lee (Houston)	Rowe
Bloch	Lindsey	Rushton
Bulger	Long (Butler)	Sanders
Cannon	Long (Morgan)	Sherrod
Carmichael (Clay)	Lyons	Seale
Coleman (Lowndes)	Malone	Smith (Elmore)
Cooper	Middleton	Smith (Franklin)
Cranford	Moore	Steagall
Crum	McDuffie	Turner
Doyle (Marengo)	McMillan	Urquhart
Fuller	Oliver	Vann
Gunter	Pearson	Weaver
Henley	Peete	White (Lamar)
Hughston	Pitts (Perry)	White (Perry)
Jenkins	Powell (Bullock)	Williams
John	Power	Woolf
Jones	Price	

Nays:

Messrs:—

Edwards

Lee (Etowah)

Smith (Etowah)

Elrod

Lindsey

—5.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Ballard, of Autauga, (with notice and proof):

H. 1084. To prohibit the shipping into Autauga county by common carriers and the bringing into the said county by any person for the use of any other person than himself, any spirituous, vinous, malt, or intoxicating liquors from any place within this State, and to prohibit the procuring of any such liquors for another in said county, or the giving, taking, soliciting, or receiving of orders for such liquors in said county, and to provide penalties for the violation of such prohibited acts.

Temperance.

Notice and proof. H. 1084.

The State of Alabama, }
County of Autauga. }

Before me, J. R. Thomas, a notary public in and for said State and county, personally appeared Chas. T. Kent, who, being duly sworn, deposes and says: That he is the manager of the "Prattville Progress," a weekly newspaper published at Prattville, Autauga county, Alabama, and that the following notice (a printed copy of which is as follows):

NOTICE.

At the adjourned session of the Legislature of Alabama, to meet in July next, there will be introduced for passage a bill substantially as follows: A bill, to be entitled, "An act to prohibit the shipping into Autauga county by common carriers, and the bringing into said

county by any person for the use of any person other than himself, any spirituous, vinous, malt, or intoxicating liquors from any place within this State, and to prohibit the procuring of any such liquors for another in said county, or the giving, taking, soliciting, or receiving of orders for such liquors in said county, and to provide penalties for the violation of such prohibited acts."

Section 1. Be it enacted by the Legislature of Alabama, That it shall be unlawful for any common carrier, person or corporation, to ship, or bring, into Autauga county, from any place or point within this State, for the use of any person other than himself, or to procure or obtain for any other person in said county, any spirituous, vinous, malt, or intoxicating liquors.

Sec. 2. That it shall be unlawful to give, take, solicit or receive in Autauga county any order for spirituous, vinous, malt or intoxicating liquors, or to carry within or from said county any such order.

Sec. 3. That any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction, shall pay a fine of not less than fifty nor more than five hundred dollars, and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six months."

Has been published in said newspaper once a week for four consecutive weeks, before the making of this affidavit.

Chas. T. Kent, Manager.

Sworn to and subscribed before me, this 8th day of July, 1907.

J. R. Thomas,
Notary Public.

By Mr. Jenkins:

H. 1085. To amend an act to establish a State livestock sanitary board and the office of State veterinarian in order to further protect livestock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama, approved March 12th, 1907.

County and County Boundaries.

By Mr. Jenkins:

H. 1086. To amend an act, approved October 1st, 1903, to regulate primary elections in the State of Alabama.

Privileges and Elections.

By Mr. Williams:

H. 1087. To amend an act entitled an act relating to the preservation, propagation and protection of the fish of Alabama, approved February 19th, 1907.

Game, Fish and Forestry Preservation.

By Mr. Weaver:

H. 1088. To ratify and confirm all elections held under the act approved September 29, 1903, (Acts 1903, page 431) providing for the establishment of stock law districts where said elections and the proceedings to obtain the same have been irregular.

Revision of Laws.

By Mr. Weaver, (with notice and proof):

H. 1089. To require one round to be made by the tax collector and tax assessor of Blount county for the purpose of assessing and collecting taxes said round to begin the first Monday of November of every year.

Local Legislation.

Notice and Proof. H. 1089.

NOTICE.

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama in substance as follows: That the tax assessor of Blount county shall be required to make but one round in said county for the collection and assessment of taxes, said round to begin the first Monday in November.

The State of Alabama, }
Blount County. }

Before me, the undersigned authority, personally appeared F. G. Stephens, who, being first duly sworn, de-

poses and says that he is the editor and owner of the Southern Democrat, a weekly newspaper published in said Blount county, and that a notice was published in said paper for four consecutive weeks, beginning June —, that a bill would be introduced at the present session of the Legislature to require the tax collector and tax assessor to make one round in said county for the assessment and collection of taxes, copy attached.

F. G. Stephens.

Sworn to and subscribed before me this June 28, 1907.

W. A. Weaver,
Notary Public.

By Mr. Weaver, (with notice and proof) :

H. 1090. To create the sixteenth judicial circuit for the State of Alabama, to be composed of the counties of Blount, Etowah and St. Clair, to confer equity jurisdiction on said court as to matters arising in Blount and St. Clair counties, and to provide for registers in chancery therein; to provide for the appointment and election of a judge and solicitor for said circuit and fix their salaries, and for the removal of pending causes and for the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit and to authorize the judge of said circuit to adopt reasonable rules of practice to facilitate the business of the courts therein; to fix the time of holding courts in said circuit and places at which such courts shall be held and to require that a jury be demanded in civil causes.

Judiciary.

Notice and proof. H. 1090.

The State of Alabama. }
St. Clair County. }

I, George R. Cather, publisher of the Southern Aegis, a weekly newspaper published in St. Clair county, Ala., solemnly swear that notice of the application for the passage of a law to create the sixteenth judicial circuit

for Alabama composed of the counties of Blount, Etowah, and St. Clair, providing for the election and appointment of officers, designating times and places of holding courts, defining jurisdiction and powers of said courts, etc., which notice is hereto annexed as a part of this oath, appeared in the Southern Aegis for four consecutive weeks and circulated through the mail or by delivery each week in the regular mailing manner to its subscribers, beginning on the 5th day of June, 1907, and ending on the 5th day of July, 1907, inclusive.

George R. Cather.

Sworn to and subscribed before me, Jas. M. Garrett, clerk of the circuit court of St. Clair county, Alabama, this 26th day of June, 1907. Jas. M. Garrett, Clerk.

NOTICE.

A bill will be introduced at the present session of the Legislature in substance as follows: To create the 16th judicial circuit of Alabama, composed of the counties of Blount, Etowah, and St. Clair; to designate the times and places of holding court therein; to provide for the appointment and election of a judge and solicitor thereof and fix their salaries; to confer equity jurisdiction on said court in Blount and St. Clair; to provide for registers in chancery therein and fix their duties and fees; to provide for removal of pending causes and the remanding of pending appeals and for jury and non-jury terms of court therein and for the call of the equity docket thereof not less than three times a year and for giving notice of same by register; that in Etowah no grand jury shall be drawn except by order of the judge; to authorize the judge of same to adopt reasonable rules of practice therefor; civil cases shall be triable without jury unless a jury be demanded by defendant within fifteen days from service.

The State of Alabama, }
Blount County. }

Personally appeared before me the undersigned authority, F. G. Stephens, who, being first duly sworn,

doth depose and say that he is the owner and publisher of the Southern Democrat, a weekly newspaper published in said Blount county, Alabama, and that notice was given in said paper for four consecutive weeks, beginning June 6, 1907, of the intention to introduce a bill to create the sixteenth judicial circuit for Alabama at the present session of the Legislature and setting forth the substance of the proposed bill, a copy of which is hereto attached.

F. G. Stephens.

Sworn to and subscribed before me this July 6, 1907.

W. A. Weaver,
Notary Public.

NOTICE.

A bill will be introduced at the present session of the Legislature in substance as follows: To create the 16th judicial circuit of Alabama, composed of the counties of Blount, Etowah, and St. Clair; to designate the times and places of holding court therein; to provide for the appointment and election of a judge and solicitor thereof and fix their salaries; to confer equity jurisdiction on said court in Blount and St. Clair; to provide for registers in chancery therein and fix their duties and fees; to provide for removal of pending causes and the remanding of pending appeals and for jury and non-jury terms of court therein and for the call of the equity docket thereof not less than three times a year and for giving notice of same by register; that in Etowah no grand jury shall be drawn except by order of the judge; to authorize the judge of same to adopt reasonable rules of practice therefor; civil cases shall be triable without jury unless a jury be demanded by defendant within fifteen days from service.

The State of Alabama,)
County of Etowah. }

On this the 6th day of July, 1907, personally appeared Chas. E. Meeks, who, being duly sworn, doth depose and say, that he is general manager of the Times-News, a newspaper published in the city of Gadsden,

Haley	Mastin	Rainer
Henley	Mitchell	Rattray
Hoffman	Moore	Rowe
Hughston	McCrory	Rushton
John	Norville	Sample
Johnson	Parker	Sanders
Killen	Pearson	Smith (Elmore)
King	Peete	Smith (Etowah)
Kornegay	Pitts (Perry)	Smith (Lee)
Lacy (Walker)	Power	Tunstall
Lee (Houston)	Pratt	Weaver
Long (Morgan)	Pugh	White (Lamar)
Lyons	Ragsdale	White (Perry)

—57.

S. 327. To amend section 7 of an act, entitled an act to amend an act to regulate the trials of misdemeanors in Bibb county, approved December 14, 1894.

Was taken up. Mr. Fuller offered the following amendment to the bill, S. 327:

Amend Senate bill No. 327 by striking out all that part of section 1 of said bill from and including the word "complaints" where it appears in the fourth line of said section 1 of said bill as it is engrossed, to and including the words "Centerville" where it appears in the eighth line of said section 1; and insert in lieu therefor the following words: "cases or prosecutions for any and all violations of the special or local prohibition law for Bibb county, Alabama, for selling, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters or intoxicating beverages without a license and contrary to law within the limits of said county, for selling, giving away or otherwise disposing of spirituous, vinous or malt liquors to minors within the limits of said county, and for soliciting orders for the sale of any spirituous, vinous or malt liquors within the limits of Bibb county, or for any violation of any general prohibition law of the State of Alabama within the limits of Bibb county, Alabama, shall be tried exclusively by the circuit court of Bibb

county, Alabama, and the said circuit court shall have exclusive jurisdiction of the said cases; but prosecutions or cases for all other misdemeanors committed in Bibb county, Alabama, and commenced by affidavit, indictment or otherwise and which are now triable by the county court of Bibb county, Alabama, shall be tried by said county court as follows, viz.: all of such cases arising in beats 1, 9, 10, 11 and that part of beat 6 of said county which lies north and west of Little river shall be returnable to and shall be tried at the terms of said county court held at Blocton—that is, in the Blocton division of said court, and all of such cases or prosecutions arising in beats 2, 3, 4, 5, all that part of 6 south and east of Little river, 7, 8 and 12 of said county shall be tried at the terms of said county court held at Centerville that is, in the Centerville division of said county court, and the said county court of Bibb county, Alabama, shall have exclusive jurisdiction of said cases last above named which are now triable in said court.”

And the amendment was adopted.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Moore
Altman	Goodwyn	McCrory
Armstrong	Haley	Norville
Arnold	Henley	Parker
Avery	Hoffman	White (Lamar)
Ballard (Pike)	Hughston	Pearson
Benson	John	Peete
Brown	Johnson	Pitts (Perry)
Cannon	Killen	Powell (Covington)
Carmichael (Clay)	Kornegay	Power
Cranford	Lacy (Walker)	Pratt
Doyle (Clark)	Lee (Houston)	Pugh
Doyle (Marengo)	Long (Morgan)	Ragsdale
Elrod	Lyons	Rainer
Foster	Martin	Rattray
Fuller	Mitchell	Rowe

Rushton	Smith (Etowah)	Weaver
Sample	Smith (Lee)	White (Perry)
Sanders	Tunstall	White (Lamar)
Smith (Elmore)		

—57.

And the bill:

S. 327. To amend section 7 of an act, entitled an act to amend an act to regulate the trials of misdemeanors in Bibb county, approved December 14, 1894.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Peete
Altman	Haley	Pitts (Perry)
Armstrong	Henley	Power
Arnold	Hoffman	Pratt
Avery	Hughston	Pugh
Ballard (Pike)	John	Ragsdale
Barton	Johnson	Rainer
Benson	Killen	Rattray
Brown	Kornegay	Rowe
Cannon	Lacy (Walker)	Rushton
Carmichael (Clay)	Lee (Houston)	Sample
Cooper	Long (Morgan)	Sanders
Cranford	Lyons	Smith (Elmore)
Doyle (Clark)	Mastin	Smith (Etowah)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	Norville	Weaver
Fuller	Parker	White (Lamar)
Glover	Pearson	White (Perry)

—56.

H. 795. To prohibit any person or corporation from selling, giving away, delivering or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating bitters or beverages in Marion county, Alabama, prescribing that a delivery shall constitute a sale, and prescribing a penalty for the violation of said law.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Pitts (Perry)
Altman	Hoffman	Power
Armstrong	Hughston	Pratt
Arnold	John	Pugh
Avery	Johnston	Ragsdale
Benson	Killen	Rainer
Brown	Kornegay	Ratray
Cannon	Lacy (Walker)	Rowe
Carmichael (Clay)	Lee (Houston)	Rushton
Cooper	Long (Morgan)	Sample
Cranford	Lyons	Sanders
Doyle (Clark)	Mastin	Smith (Elmore)
Doyle (Marengo)	Mitchell	Smith (Etowah)
Elrod	Moore	Smith (Lee)
Foster	McCrary	Tunstall
Fuller	Norville	Weaver
Glover	Parker	White (Lamar)
Goodwyn	Pearson	White (Perry)
Haley	Peete	

—56.

H. 817. To repeal an act entitled an act to provide a fund to be used exclusively for the support of a paid fire department in the city of Mobile, approved February 21st, 1889.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Cooper	Henley
Altman	Cranford	Hoffman
Armstrong	Doyle (Clark)	Hughston
Arnold	Doyle (Marengo)	John
Avery	Elrod	Johnson
Ballard (Pike)	Foster	Killen
Benson	Fuller	Kornegay
Brown	Glover	Lacy (Walker)
Cannon	Goodwyn	Lee (Houston)
Carmichael (Clay)	Haley	Long (Morgan)

Lyons	Pitts (Perry)	Sample
Mastin	Power	Smith (Elmore)
Mitchell	Pratt	Smith (Etowah)
Moore	Pugh	Smith (Lee)
McCrory	Ragsdale	Tunstall
Norville	Rainer	Weaver
Parker	Ratray	White (Lamar)
Pearson	Rowe	White (Perry)
Peete	Rushton	

—56.

H. 551. To amend an act entitled an act to authorize and require the commissioners' court of Pickens county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury, and the clerk of the circuit court of said county, fees which by law become a good claim against the fine and forfeiture fund of said county as hereinafter provided in section two of this act, and to regulate the manner of said payments, and fixing the amount of said witness fee, approved December 13, 1900.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Lyons
Altman	Fuller	Mastin
Armstrong	Glover	Mitchell
Arnold	Goodwyn	Moore
Avery	Haley	McCrory
Ballard (Pike)	Henley	Norville
Benson	Hoffman	Parker
Brown	Hughston	Pearson
Cannon	John	Peete
Carmichael (Clay)	Johnson	Pitts (Perry)
Cooper	Killen	Power
Cranford	Kornegay	Pratt
Doyle (Clark)	Lacy (Walker)	Pugh
Doyle (Marengo)	Lee (Houston)	Ragsdale
Elrod	Long (Morgan)	Rainer

Rattray	Smith (Elmore)	Weaver
Rowe	Smith (Etowah)	White (Lamar)
Rushton	Smith (Lee)	White (Perry)
Sanders	Tunstall	

—56.

H. 360. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any of the voting precincts of Crenshaw county, Alabama, and to make it unlawful for the probate judge of said county to issue licenses to any person, firm or corporation, to sell, give away or otherwise dispose of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any precinct of said county until the proposition shall have first been submitted to the qualified voters of the precinct in which the aforesaid liquors are to be sold, given away or otherwise disposed of, and to provide for an election therefor and the expenses of holding an election and to punish the violations of the provisions of this act.

Was taken up. Mr. Rushton offered the following amendment to the bill, H. 360:

Amend by striking out section eight and inserting in lieu thereof the following section:

Section 8. That this act shall not be so construed as to repeal any act establishing a dispensary in said county nor to repealing any act incorporating any church or school house in said county. Provided, this act shall be null and void and of no force after the 26th day of February, 1909.

And the amendment was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Benson	Doyle (Clark)
Altman	Brown	Doyle (Marengo)
Armstrong	Cannon	Elrod
Arnold	Carmichael (Clay)	Foster
Avery	Cooper	Fuller
Ballard (Pike)	Cranford	Glover

Goodwyn	Mastin	Rainer
Haley	Mitchell	Rattray
Henley	Moore	Rowe
Hoffman	McCrory	Rushton
Hughston	Norville	Sanders
John	Parker	Smith (Elmore)
Johnson	Pearson	Smith (Etowah)
Killen	Peete	Smith (Lee)
Kornegay	Pitts (Perry)	Tunstall
Lacy (Walker)	Power	Weaver
Lee (Houston)	Pratt	White (Lamar)
Long (Morgan)	Pugh	White (Perry)
Lyons	Ragsdale	

—56.

And the bill:

H. 360. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any of the voting precincts of Crenshaw county, Alabama, and to make it unlawful for the probate judge of said county to issue licenses to any person, firm or corporation, to sell, give away or otherwise dispose of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any precinct of said county until the proposition shall have first been submitted to the qualified voters of the precinct in which the aforesaid liquors are to be sold, given away or otherwise disposed of, and to provide for an election therefor and the expenses of holding an election and to punish the violations of the provisions of this act.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Benson	Doyle (Clark)
Altman	Brown	Doyle (Marengo)
Armstrong	Cannon	Elrod
Arnold	Carmichael (Clay)	Foster
Avery	Cooper	Fuller
Ballard (Pike)	Cranford	Glover

Goodwyn	Mastin	Ragsdale
Haley	Mitchell	Rainer
Henley	Moore	Ratray
Hoffman	McCrory	Rowe
Hughston	Norville	Rushton
John	Parker	Smith (Elmore)
Johnston	Pearson	Smith (Etowah)
Killen	Peete	Smith (Lee)
Kornegay	Pitts (Perry)	Tunstall
Lacy (Walker)	Powell (Covington)	Weaver
Lee (Houston)	Power	White (Lamar)
Long (Morgan)	Pratt	White (Perry)
Lyons	Puga	

—56.

H. 525. To amend section 3931 of the Code of Alabama so far as the same relates to Pike county.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Ways and Means, said amendment being as follows:

Amend by striking out the words "assessor of Tuscaloosa county," and adding in lieu therefor the words, "assessors of the counties of Tuscaloosa and Pike," and amend further by striking out the following words in section one: "And provided further that the tax assessors of Pike county shall not be required to visit any of the election precincts of said county except the precinct in which the court house of said county is located."

And the amendment was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Cannon	Fuller
Altman	Carmichael (Clay)	Glover
Armstrong	Cooper	Goodwyn
Arnold	Cranford	Haley
Avery	Doyle (Clark)	Henley
Ballard (Pike)	Doyle (Marengo)	Hoffman
Benson	Elrod	Hughston
Brown	Foster	John

Johnson	Norville	Rowe
Killen	Parker	Rushton
Kornegay	Pearson	Sanders
Lacy (Walker)	Peete	Smith (Elmore)
Lee (Houston)	Pitts (Perry)	Smith (Etowah)
Long (Morgan)	Power	Smith (Lee)
Lyons	Pratt	Tunstall
Mastin	Pugh	Weaver
Mitchell	Ragsdale	White (Lamar)
Moore	Rainer	White (Perry)
McCrory	Rattray	

—56.

And the bill:

H. 525. To amend section 3931 of the Code of Alabama so far as the same relates to Pike county.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Peete
Altman	Henley	Pitts (Perry)
Armstrong	Hoffman	Power
Arnold	Hughston	Pratt
Avery	John	Pugh
Ballard (Pike)	Johnston	Ragsdale
Benson	Killen	Rainer
Brown	Kornegay	Rattray
Cannon	Lacy (Walker)	Rowe
Carmichael (Clay)	Lee (Houston)	Rushton
Cooper	Long (Morgan)	Sanders
Cranford	Lyons	Smith (Elmore)
Doyle (Clark)	Mastin	Smith (Etowah)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	McCrory	Weaver
Fuller	Norville	White (Lamar)
Glover	Parker	White (Perry)
Goodwyn	Pearson	

—56.

S. 233. To fix the time for holding the circuit court of Randolph county, and to fix the term for the same.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Peete
Altman	Henley	Pitts (Perry)
Armstrong	Hoffman	Powell (Covington)
Arnold	Hughston	Power
Avery	John	Pratt
Ballard (Pike)	Johnson	Pugh
Benson	Killen	Ragsdale
Brown	Kornegay	Rainer
Cannon	Lacy (Walker)	Rattray
Carmichael (Clay)	Lee (Houston)	Rowe
Cooper	Long (Morgan)	Rushton
Cranford	Lyons	Smith (Elmore)
Doyle (Clark)	Mastin	Smith (Etowah)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	McCrory	Weaver
Fuller	Norville	White (Lamar)
Glover	Parker	White (Perry)
Goodwyn	Pearson	

—56.

H. 839. To better provide for the working the public roads in Pike county, Alabama, prescribe rules and regulations for the same and prescribe penalties for the violation of the provisions of this act.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Benson	Doyle (Clark)
Altman	Brown	Doyle (Marengo)
Armstrong	Cannon	Elrod
Arnold	Carmichael (Clay)	Foster
Avery	Cooper	Fuller
Ballard (Pike)	Cranford	Glover

Goodwyn	Mastin	Rainer
Haley	Mitchell	Rattray
Henley	Moore	Rowe
Hoffman	McCrary	Rushton
Hughston	Norville	Sanders
John	Parker	Smith (Elmore)
Johnson	Pearson	Smith (Etowah)
Killen	Peete	Smith (Lee)
Kornegay	Pitts (Perry)	Tunstall
Lacy (Walker)	Power	Weaver
Lee (Houston)	Pratt	White (Lamar)
Long (Morgan)	Pugh	White (Perry)
Lyons	Ragsdale	

—56.

H. 705. To change the boundary line of the incorporation of the town of Wilsonville in Shelby county, Alabama.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Pitts (Perry)
Altman	Henley	Powell (Covington)
Armstrong	Hoffman	Power
Arnold	Hughston	Pratt
Avery	John	Pugh
Ballard (Pike)	Johnson	Ragsdale
Benson	Killen	Rainer
Brown	Kornegay	Rattray
Cannon	Lacy (Walker)	Rowe
Carmichael (Clay)	Lee (Houston)	Rushton
Cooper	Lyons	Smith (Elmore)
Cranford	Mastin	Smith (Etowah)
Doyle (Clark)	Mitchell	Smith (Lee)
Doyle (Marengo)	Moore	Steagall
Elrod	McCrary	Tunstall
Foster	Norville	Weaver
Fuller	Parker	White (Lamar)
Glover	Pearson	White (Perry)
Goodwyn	Peete	

—56.

S. 266. To make the office of judge of the city court of Anniston, in Calhoun county, Alabama, elective by the qualified electors of Calhoun county, Alabama.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Pearson
Altman	Henley	Peete
Armstrong	Hoffman	Pitts (Perry)
Arnold	Hughston	Power
Avery	John	Pratt
Ballard (Pike)	Johnson	Pugh
Benson	Killen	Ragsdale
Brown	Kornegay	Ralmer
Cannon	Lacy (Walker)	Rattray
Carmichael (Clay)	Lee (Houston)	Rowe
Cooper	Long (Morgan)	Rushton
Cranford	Lyons	Smith (Elmore)
Doyle (Clark)	Mastin	Smith (Etowah)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	McCrory	Weaver
Fuller	Norville	White (Lamar)
Glover	Parker	White (Perry)
Goodwyn		

—56.

H. 847. To fix the salary of the judge of the city court of Anniston, and to provide for the payment of the same.

Was taken up. Mr. Arnold offered the following substitute for the bill, H. 847, said substitute being as follows:

A BILL

To be entitled an act to provide for the payment of the salary of the judge of the city court of Anniston and to fix the amount of the same at thirty-five hundred dollars.

Section 1. Be it enacted by the Legislature of Alabama, That from the passage and approval of this act,

the salary of the judge of the city court of Anniston shall be the sum of thirty-five hundred dollars per annum, which shall be payable monthly.

Section 2. That of said salary, the sum of three thousand dollars shall be paid by the State, in the manner as provided by law for the payment of the salaries of circuit judges, which sum is hereby appropriated for that purpose.

Section 3. That the sum of five hundred dollars shall be paid out of the general fund of the county treasury of Calhoun county, upon the order of the presiding judge.

And the substitute was adopted.

Yeas, 48; nays, 9.

Yeas:

Messrs:—

Speaker	Hughston	Parker
Alford	John	Pearson
Altman	Johnson	Peete
Arnold	Jones	Power
Avery	Kirby	Pratt
Ballard (Pike)	Kornegay	Pugh
Benners	Lacy (Walker)	Rainer
Carmichael (Clay)	Long (Morgan)	Rattray
Coleman (Lowndes)	Lovelady	Rowe
Cranford	Lyons	Rushton
Foster	Malone	Sample
Glover	Maner	Sanders
Goodwyn	Mastin	Sanford
Gunter	Mitchell	Smith (Elmore)
Haley	McCrory	Tunstall
Henley	McMillan	Williams
Hoffman		

—48.

Nays:

Messrs:—

Cannon	Killen	Smith (Stowah)
Coleman (Marshall)	Moore	White (Perry)
Cooper	Sherrod	

—9.

And the bill:

H. 847. To fix the salary of the judge of the city court of Anniston, and to provide for the payment of the same.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 48; nays, 9.

Yeas:

Messrs:—

Speaker	Hughston	Parker
Alford	John	Pearson
Altman	Johnson	Peete
Arnold	Jones	Power
Avery	Kirby	Pratt
Ballard (Pike)	Kornegay	Pugh
Benness	Lacy (Walker)	Rainer
Carmichael (Clay)	Long (Morgan)	Rattray
Coleman (Lowndes)	Lovelady	Rowe
Cranford	Lyons	Rushton
Glover	Malone	Sample
Goodwyn	Maner	Sanders
Gunter	Martin	Sanford
Haley	Mitchell	Smith (Elmore)
Henley	McCrary	Tunstall
Hoffman	McMillan	Williams

—48.

Nays:

Messrs:—

Cannon	Fuller	Sherrod
Coleman (Marshall)	Killen	Smith (Etowah)
Cooper	Moore	White (Perry)

—9.

H. 686. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23rd, 1899, acts 1898-99, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof, to the law and equity court of Madison county, and to

give such court jurisdiction of such causes and proceedings, and full power and authority thereover.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Peete
Altman	Henley	Pitts (Perry)
Armstrong	Hoffman	Powell (Covington)
Arnold	Hughston	Power
Avery	John	Pratt
Ballard (Pike)	Johnson	Pugh
Benson	Killen	Ragsdale
Brown	Kornegay	Rainer
Cannon	Lacy (Walker)	Rattray
Carmichael (Clay)	Lee (Houston)	Rowe
Cooper	Long (Morgan)	Rushton
Cranford	Lyons	Smith (Elmore)
Doyle (Clark)	Mastin	Smith (Etowah)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Fester	McCrory	Weaver
Fuller	Norville	White (Lamar)
Glover	Parker	White (Perry)
Goodwyn	Pearson	

—56.

H. 687. To repeal all statutes and laws establishing county courts, and proceedings therein, with monthly terms, for the trial of misdemeanors, (Code section 4593 et seq.) so far as the county court of Madison is concerned.

Was read a third time, at length, and passed..

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Ballard (Pike)	Cooper
Altman	Benson	Cranford
Armstrong	Brown	Doyle (Clark)
Arnold	Cannon	Doyle (Marengo)
Avery	Carmichael (Clay)	Elrod

Foster	Long (Morgan)	Price
Fuller	Lyons	Ragsdale
Glover	Mastin	Rainer
Goodwyn	Mitchell	Rattray
Haley	Moore	Rowe
Henley	McCrory	Rushton
Hoffman	Norville	Smith (Elmore)
Hughston	Parker	Smith (Etowah)
John	Pearson	Smith (Lee)
Johnson	Peete	Tunstall
Kirby	Pitts (Perry)	Weaver
Kornegay	Powell (Covington)	White (Lamar)
Lacy (Walker)	Power	White (Perry)
Lee (Houston)	Pratt	

—56.

H. 690. To require the county board of education of Wilcox county to audit and pass upon the accounts of the district trustees of the several school districts in Wilcox county, of the funds paid over to them by the superintendent of education of Wilcox county, arising out of the dispensary at Camden to be used by them for school purposes.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Doyle (Marengo)	Kornegay
Altman	Elrod	Lacy (Walker)
Armstrong	Foster	Lee (Houston)
Arnold	Fuller	Long (Morgan)
Avery	Glover	Lyons
Ballard (Pike)	Goodwyn	Mastin
Benson	Haley	Mitchell
Bloch	Henley	Moore
Cannon	Hoffman	McMillan
Carmichael (Clay)	Hughston	Norville
Cooper	John	Parker
Cranford	Johnson	Pearson
Doyle (Clark)	Killen	Peete

By Mr. Rushton, (with notice and proof) :

H. 1106. To make it unlawful for any person to sell, give away, or otherwise dispose of spirituous, vinous or malt liquors within three miles of the school house known as the Powell school house in beat six (6) of Crenshaw county, Alabama, and to punish violations of the same.

Temperance.

Notice and Proof. H. 1106.

Notice is here given that the following bill will be presented for enactment into law by the Legislature, beginning Jan. 8, 1907:

A BILL

To be entitled an act to make it unlawful for any person to sell, give away, or otherwise dispose of spirituous, vinous or malt liquors within three miles of the school house known as the Powell school house, in beat six of Crenshaw county, Alabama, and to punish violations of the same.

The State of Alabama, }
Crenshaw County. }

Personally appeared before me, M. N. Rushton, a notary public in and for said county, W. B. Howard, who, being duly sworn, says on oath that he is the editor and publisher of the Crenshaw County Critic, a newspaper published in said county, and that the notice of a bill to make it unlawful for any person to sell, give away or otherwise dispose of spirituous, vinous or malt liquors within three miles of the school house known as the Powell school house, in beat six of Crenshaw county, Alabama, a copy of which notice is hereto attached, was published in said Crenshaw County Critic once a week for four consecutive weeks before this date. This 6th day of July, 1907.

W. B. Howard.

Subscribed and sworn to before me this 6th day of July, 1907.

M. N. Rushton,
Notary Public.

By Mr. Steagall:

H. 1107. To appropriate twenty-five hundred dollars (\$2,500.00) for the incidental and contingent expenses to be disbursed on the order of the governor.

Appropriations.

By Mr. Pitts, of Dallas:

H. 1108. To amend section 1 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved February 10th, 1899.

Revision of Laws.

By Mr. Smith, of Elmore:

H. 1109. To provide for the disbursements of the revenue or proceeds derived from the convicts, and require county convicts to be worked by the State.

Ways and Means.

By Mr. Henley, (with notice and proof):

H. 1110. For the relief of H. Frederick, an ex-confederate soldier; to give the said H. Frederick the benefits granted under an act of the General Assembly of Alabama, approved February 10th, 1899, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and to require the probate judge of Escambia county to place his name on the pension roll or list of ex-confederate soldiers in the county of Escambia.

Appropriations.

Notice and Proof. H. 1110.

The State of Alabama,)
Escambia County.)

Before me, M. F. Brooks, judge of probate in and for said county and State, personally appeared on this date William D. Sowell, who, being first duly sworn, deposes and says that he is the editor and publisher of The Pine Belt News, a weekly newspaper published in the town of Brewton, said county and State, and that the notice hereto attached and marked "Exhibit A," was published in said newspaper once a week for four (4) consecu-

tive weeks, and that said notice appeared in said newspaper on the following dates, viz.: June 6th, June 13th, June 20th, and June 27th, 1907.

William D. Sowell,
Editor and Publisher Pine Belt News.

Sworn to and subscribed before me this the 8th day of July, 1907.

M. F. Brooks,
Judge of Probate, Escambia County, Ala.

(Exhibit A.)

NOTICE.

This is to give notice that at the present term of the Alabama Legislature a local bill will be introduced for the relief of Private H. Frederick, late of Co. E, 20th Miss. Inf., C. S. A., in order that he may participate in the benefits of the fund for the relief of disabled confederate soldiers.

Brewton, Ala., May 8, 1907.

By Mr. Smith, of Franklin:

H. 1111. To prohibit hunting, shooting at, or killing, wounding, or capturing and holding in captivity any deer in this State.

Game, Fish and Forestry Preservation.

By Mr. Smith, of Franklin, (with notice and proof):

H. 1112. To provide for the better construction, repairing, working, and maintaining the public roads and bridges in Franklin county, Alabama.

Public Roads and Highways.

Notice and Proof. H. 1112.

NOTICE.

Notice is hereby given that a bill will be introduced at the next session of the Legislature entitled: A bill

to be entitled an act to provide for the better construction, repairing, working and maintaining the public roads and bridges of Franklin county.

The State of Alabama, }
Franklin County. }

Before me, B. H. Sargent, notary public in and for said State and county, came J. C. Norwood, editor of the Franklin Times, a weekly newspaper published at Russellville in the said State and county, who being duly sworn, deposes and says that notice attached hereto was published in his said newspaper for four successive issues prior to making of this affidavit.

J. C. Norwood.

Sworn to and subscribed before me this the 11th day of July, 1907.

B. H. Sargent.
Notary Public.

My term of office expires on the 7th day of April, 1909.

B. H. Sargent,
Notary Public.

By Mr. Alford, (with notice and proof) :

H. 1113. To provide for holding one week of each term of the circuit court of Geneva county at Hartford, Alabama; the prescribe the jurisdiction thereof, and regulate the proceedings therein, and to provide a place for holding the same in said town.

Revision of Laws.

Notice and proof H. 1113.

NOTICE.

Notice is hereby given that application will be made to the adjourned session of the Legislature of Alabama, which convenes on the 9th day of July, 1907, for the passage of the following law:

AN ACT

To provide for holding one week of each term of the circuit court of Geneva county at Hartford, Alabama; to prescribe the jurisdiction thereof, and regulate the proceedings therein, and to provide a place for holding the same in said town.

Be it enacted by the Legislature of Alabama :

Section 1. That after the passage of this act one week of each term of the circuit court of Geneva county, Alabama, shall be held in the town of Hartford in said county at the place provided by the commissioners court of said county for the holding thereof.

Section 2. That all civil actions that are brought in the circuit court of said county where there is but one defendant, and such defendant resides on the East side of the Choctawhatchee river in said county, the suit must be in, and the summonses be made returnable to, the circuit court of said county at Hartford, and the cause shall be tried at Hartford.

Section 3. That in all civil cases that are brought in the circuit court of said county where there are more than one defendant to the cause, and one or more of said defendants reside on the east side of said river in said county, and one or more of said defendants reside on the west side of said river in said county suit may be brought against them in the circuit court of said county either at Geneva or Hartford, and the summonses against the defendants can be issued out of and made returnable to the circuit court of said county either at Geneva, or at Hartford.

Section 4. That whenever a person commits a crime, for which under the laws and rules of practice, he must be tried in the circuit court of said county, in the territory on the east side of said river in said county, he must be indicated by a grand jury sitting at Hartford, and must be tried in the circuit court at Hartford.

Section 5. That the clerk of the circuit court, and the sheriff of said county are hereby required to keep an office and reside or have a deputy at Hartford, and said

offices shall be kept open for the transaction of business at all reasonable hours.

Section 6. That a grand and petit jury shall be drawn for each term of the circuit court to be held at Hartford in the same manner and by the same authority as grand and petit jurors are now drawn for the circuit court in said county; provided that all grand and petit jurors for the circuit court at Hartford must reside on the east side of said river.

Section 7. That all process that issues out of the circuit court of said county at Hartford, including executions, must be made returnable to the circuit court at Hartford.

Section 8. That all property sold under process of any kind issued from the circuit court of Hartford must be advertised and sold in Hartford.

Section 9. That the commissioners court of said county shall provide a suitable place in Hartford for the holding of the circuit court herein provided for.

Section 10. That after the passing of this act no person residing on the east side of said river shall be required to serve on the grand or petit jury of the circuit court at Geneva, and no person residing on the west side of said river shall be required to serve on the grand or petit jury at Hartford.

Section 11. That the circuit court of Geneva county to be held at Hartford shall commence on the fifth Monday after the first Monday in March and in September of each year and may continue one week.

Section 12. That the circuit court of Geneva county at Hartford shall not have jurisdiction to try a person for a crime committed in the territory on the west side of the Choctawhatchee river in said county and shall not have jurisdiction of any civil cause where the defendants or any of them reside in the territory of said county on the west side of the Choctawhatchee river except as provided in section three, of this act.

G. A. Ward,
W. H. Bishop,
M. H. Metcalf,
J. C. Holman,
W. F. Clemmons.

The State of Alabama, }
 Geneva County. }

Before me, W. M. Jerkins, a notary public in and for said county, personally came J. F. McCants, who being duly sworn, says, that he is the editor and publisher of the Hartford Times Herald, a newspaper published in Hartford, in said county, and that said Hartford Times Herald is a newspaper published in said county, and that the attached notice was published once a week for four consecutive weeks, in said newspaper, before the making of this affidavit.

J. E. McCants.

Sworn to and subscribed before me this 6th day of July, 1907.

W. M. Jerkins, Notary Public.

By Mr. Alford, (with notice and proof) :

H. 1114. To provide for holding a part of the county term of the circuit court of Geneva county at Hartford, Alabama; to prescribe the jurisdiction thereof, and regulate the proceedings therein, and to provide a place for holding the same in said town.

Revision of Laws.

NOTICE.

Notice is hereby given that application will be made to the adjourned session of the Legislature of Alabama, which convenes on the 9th day of July, 1907, for the passage of the following law:

AN ACT

To provide for holding a part of the county court of Geneva county, Alabama, at Hartford, in said county; to prescribe the jurisdiction thereof and regulate the proceedings therein.

Be it enacted by the Legislature of Alabama:

Section 1. That after the passage of this act a term of the county court of Geneva county, Alabama, shall be

held at Hartford in said county each month.

Section 2. That each term of said court shall commence on the third Monday in each month, and may continue in session two weeks.

Section 3. That in all civil cases in which said court has jurisdiction, and where there is only one defendant, and such defendant resides in the territory of said county on the east side of the Choctawhatchee river, the suit must be brought in and the summons made returnable to said court at Hartford and be tried there.

Section 4. That in all civil cases in which said court has jurisdiction, and where there is more than one defendant to such causes, and one or more of such defendants reside in the territory of said county on the east side of said Choctawhatchee river, and one or more of such defendants reside in the territory on the west side of said Choctawhatchee river, then the suit may be brought and the summonses made returnable to said court either at Geneva or at Hartford.

Section 5. That all persons who violate the criminal law in the territory on the east side of the Choctawhatchee river in said county of which said court has jurisdiction shall be tried in said court at Hartford in said county.

Section 6. That all appeals from the courts of justices of the peace or notaries public exercising the powers of a justice of the peace, and all writs of certiorari to remove judgments rendered by justices of the peace or notaries public exercising powers of a justice of the peace who resides and hold their courts in the territory on the east side of the said Choctawhatchee river in said county, shall be made returnable to said county court of Geneva county at Hartford and be there tried.

Section 7. That all appeals from judgments of conviction rendered by justices of the peace or notaries public exercising the powers of a justice of the peace, taken to said county court of Geneva county, shall be taken and made returnable to said county court of Geneva county at Hartford and be there tried.

Section 8. That all justices of the peace or notaries public exercising the powers of a justice of the peace

who issue warrants for a misdemeanor of which he has no final jurisdiction where the offense for which said warrant is issued was committed in the territory of said county on the east side of the Choctawhatche river shall make such warrants returnable to said county court of Geneva county at Hartford and the case for which said warrants was issued shall be tried at Hartford.

Section 9. That all indictments preferred by the grand jury of the circuit court of said county of Geneva at Hartford for misdemeanors must be returned by the clerk of the said court to the judge of said county court of Geneva county at Hartford, and the same proceedings shall be had thereon in said county court at Hartford as are had on indictments found by the grand jury of the circuit court of Geneva county at Geneva, and which are returned by the clerk of the circuit court to the judge of the county court of Geneva county at Geneva.

Section 10. That any person who is a party to a civil cause in said county court of Geneva at Hartford shall be entitled to and procure a jury to try his case under the same condition and in the same manner as parties now have and procure juries for the trial of their cases who have civil cases in said county court of Geneva at Geneva.

Section 11. That any person who has a criminal prosecution pending against him in said county court of Geneva county at Hartford shall be entitled to and procure a jury under the same condition and in the same manner as parties now have and procure a jury for the trial of their cases who have a criminal prosecution pending against them in said county court of Geneva at Geneva.

Section 12. That said county court of Geneva county at Hartford shall be held in the house or building provided by the county commissioners' court of Geneva county for holding such term of the circuit court of said county at Hartford.

Section 13. That the county court of Geneva county at Hartford shall not have jurisdiction to try a person

for a crime committed in the territory on the west side of the Choctawhatchee river in said county and shall not have jurisdiction of any civil cause where the defendants or any of them reside in the territory of said county on the west side of the Choctawhatchee river, except as provided in section four of this act.

G. A. Ward,
W. H. Bishop,
M. H. Metcalf,
J. C. Holman,
W. F. Clemmons.

The State of Alabama, }
Geneva County. }

Before me, W. M. Jerkins, a notary public in and for said county, personally came J. F. McCants, who being duly sworn, says, that he is the editor and publisher of the Hartford Times Herald, a newspaper published in Hartford, in said county, and that said Hartford Times Herald is a newspaper published in said county, and that the attached notice was published once a week for four consecutive weeks, in said newspaper, before the making of this affidavit.

J. E. McCants.

Sworn to and subscribed before me this 6th day of July, 1907.

W. M. Jerkins, Notary Public.

By Mr. Alford, (with notice and proof) :

H. 1115. To require the judge of probate of Geneva county, Alabama, to keep an office at Hartford and to provide for recording therein deeds, deeds of trust, mortgages, or instruments in the nature of a mortgage, or other instrument authorized or required by law to be recorded.

Revision of Laws.

Notice and proof H. 1115.

NOTICE.

Notice is hereby given that application will be made to the adjourned session of the legislature of Alabama, which convenes on the 9th day of July, 1907, for the passage of the following law:

AN ACT

To require the judge of Geneva county, Alabama, to keep an office at Hartford and to provide for recording therein deeds, deeds of trust, mortgages, or instruments in the nature of a mortgage, required by law to be recorded.

Be it enacted by the Legislature of Alabama:

Section 1. That immediately after the passage of this act the judge of probate of Geneva county must open and keep an office at Hartford in said county.

Section 2. That all deeds, deeds of trust, mortgages, instruments in the nature of a mortgage, or other instruments authorized or required by law to be recorded in the office of the judge of probate given after such office is opened at Hartford where the property embraced in the deed, deed of trust, mortgage, instrument in the nature of a mortgage, or other instrument authorized or required by law to be recorded is situated or located in the territory of said county on the east side of the Choctawhatchee river, shall be recorded in the office of the judge of probate at Hartford.

Section 3. That where the property embraced in said deed, deed of trust, mortgage, instrument in the nature of a mortgage, or other instrument that is authorized or required by law to be recorded is personal property and is located or situated in the territory on the east side of the Choctawhatchee river in said county, but the person giving said deed, deed of trust, mortgage, instrument in the nature of a mortgage, or other instrument authorized or required by law to be recorded resides in the

territory on the West side of the Choctawhatchee river in said county, then such deed, deed of trust, mortgage, instrument in the nature of a mortgage, or other instrument authorized or required to be recorded shall be recorded in the office of the judge of probate at Geneva and also in the office kept by the judge of probate at Hartford in said county.

Section 4. That said judge of probate shall keep said office at Hartford open at all times and shall either reside at Hartford, or keep a deputy at Hartford, who shall be in charge and have control of said office.

Section 5. That the recording of any deed, deed of trust, mortgage, instrument in the nature of a mortgage, or other instrument authorized or required by law to be recorded in the office kept by the judge of probate at Hartford in said county shall have the same effect and give notice to all persons in the same manner as the recording of such papers in the office of the judge of probate of said county.

Section 6. That the commissioners court of said county shall provide a place for keeping said office and the records thereof.

Section 7. That all laws or parts of laws in conflict with this act be, and the same are hereby repealed.

G. A. Ward,
W. H. Bishop,
M. H. Metcalf,
Jno. C. Holman,
W. F. Clemmons.

The State of Alabama, }
Geneva County. }

Before me, W. M. Jerkins, a notary public in and for said county, personally came J. F. McCants, who being duly sworn, says, that he is the editor and publisher of the Hartford Times Herald, a newspaper published in said county, and that said Hartford Times Herald is a newspaper published in said county, and that the attached notice was published once a week for four consecutive weeks, in said newspaper, before the making of this affidavit.

J. E. McCants.

Sworn to and subscribed before me this 6th day of July, 1907.

W. M. Jerkins, Notary Public.

By Mr. Alford, (with notice and proof) :

H. 1116. To provide for an election to remove the county seat of Geneva county, Alabama, from the town of Geneva to the town of Hartford, if a majority of the qualified electors of said county at such election shall vote for such removal, and to provide for changing the county seat, and the erection of necessary county buildings and offices.

Revision of Laws.

Notice and proof H. 1116.

AN ACT

Notice is hereby given that application will be made to the adjourned session of the Legislature of Alabama, which convenes on the 9th day of July, 1907, for the passage of the following law:

To provide for holding an election to remove the county seat of Geneva county, Alabama, from the town of Geneva to the town of Hartford, if a majority of the qualified electors of said county at such election shall vote for such removal, and to provide for changing the county seat, and the erection of necessary county buildings and offices.

Be it enacted by the Legislature of Alabama:

Section 1. That whenever a majority of the qualified electors of Geneva county, Alabama, shall petition the governor in writing, asking that an election be held in said county for the purpose of determining whether the county seat shall be removed from the town of Geneva to the town of Hartford, it shall be the duty of the governor, within thirty days thereafter, to appoint three commissioners to call and provide as herein directed for holding such election, who shall be qualified electors of said county, and shall not hold any State or

county office, and shall cause them to be notified of their appointment.

Section 2. The persons to appointed shall be known as "the Board of Commissioners of county seat election," and the governor shall designate one of them as the chairman of such board. Each of the persons thus appointed must, within fifteen days after their appointment, take and file in the office of the Secretary of State an oath to support the constitution of the United States and the constitution of the State of Alabama and to honestly, faithfully and impartially perform the duties required of them as commissioners of county seat election, whereupon a commission shall issue in the usual form accompanied by a copy of said petition certified by the Secretary of State, on the payment of the usual fee therefor, for the use of the State. The Secretary of State shall file and record said petition in his office.

Section 3. If any person so appointed commissioner shall fail or refuse to qualify as provided in the preceding section; or if any vacancy shall occur in the membership of said board at any time during its existence, the governor shall fill such vacancy and the appointee shall qualify as provided in the preceding sections. And if at any time, it shall be made to appear to the governor that any commissioner has wilfully neglected to discharge in good faith any duty resting upon him under the provisions of this act or is physically unable or otherwise incompetent to properly perform such duties, or is seeking in any manner to prevent or defeat a full and fair expression of the wishes of the qualified electors of the county on the question of such removal of the county seat, the governor must remove such commissioner and appoint another in his stead, who shall qualify as provided in the preceding section.

Section 4. Within thirty days after their appointment and qualification said board of commissioners shall, in writing, order and fix a time for the holding of an election in the several precincts or wards of the county to ascertain the wish of a majority of the qualified electors of the county on the question of removing of the county seat from Geneva to Hartford, which

date of holding such election shall not be less than sixty nor more than one hundred and twenty days from the time of making said order; and said commissioners shall give notice thereof by publishing a copy of said order for four consecutive weeks in a newspaper published in the county or, if there be no newspaper published in the county, by posting a copy of said order at the court-house and at five other public places in the county, such publication to begin or such notices to be posted within fifteen days from the time of making said order. The order may be substantially as follows: Order for County Seat Election: The State of Alabama, Geneva County. A majority of the qualified electors of said county having petitioned the governor, praying that an election be held in said county on the question of removing the county seat from Geneva to Hartford in said county; and the governor having appointed the undersigned as the board of commissioners of county seat election, as provided by law: It is hereby ordered that an election be held at the usual voting places in said county, by the qualified electors thereof, on Monday, the——day of——, 190—, between the hours of 9 a. m., and 5 p. m., on the question of such removal at which election the elector who desires that the county site shall remain at Geneva shall have written or printed on his ballot the words: "Against removal;" and the electors who desire that the county seat shall be removed to Hartford, shall have written or printed on his ballot the words: "For removal to Hartford." Done this, the——day of——, 190—. (Signed) ——, The Board of Commissioners of County Seat Election.

Section 5. Between ten and thirty days prior to the day appointed for such election the said board of commissioners shall appoint three inspectors, two clerks and one returning officer to hold and conduct said election for each of the voting places in the county. One of said inspectors and one of said clerks for each voting place shall be appointed as recommended for that purpose by qualified electors favoring such removal, and one of said inspectors and one of said clerks for each

voting place shall be appointed as recommended for that purpose by qualified electors opposing removal, and the third inspector and returning officer for each voting place shall be selected by the board of commissioners. But if there shall be a bona fide organization of electors favoring such removal, or such organization opposing such removal, one or both, the chairman or head of such organization shall have the superior right to thus recommend persons for appointment as inspector and clerk as herein provided, and the persons recommended by such chairman, respectively, or by either of them, must be appointed, it being the true intent and meaning of this act that each side shall have full and fair representation in the conduct of said election. Said board of commissioners shall notify or cause to be notified, the persons so appointed as inspectors, clerks and returning officer for each voting place in the county prior to the day appointed for the election.

Section 6. The inspectors, clerks and returning officers thus appointed must meet at the place of holding elections in the several precincts or wards for which they are appointed, by 9 o'clock the morning of the election, and before 10 o'clock open the several polling places, and on the failure of any inspector or clerk to attend at the hour of nine the inspector or inspectors present shall complete the number by appointing a qualified elector in the place of each inspector or clerk so absent, every such appointment to be so made that each side shall have representation in the person of at least one inspector and one clerk, and to that end the inspector or inspectors making such appointments shall observe the recommendations of a majority of the electors present favoring the side for which such absent inspector or clerk was appointed, if they shall make such recommendation. If no inspector is present at the hour of 9 as aforesaid, then a majority of the qualified electors then present who favor removal, shall select one inspector and a majority of the qualified electors then present who oppose removal shall select one inspector, and the two inspectors thus selected shall select a third inspector. If the returning officer is ab-

sent the inspectors shall appoint a qualified elector to serve as returning officer.

Section 7. Before entering upon their duties, the inspectors, clerks and returning officer, must take an oath to perform their duties pertaining to said election honestly, faithfully and impartially and according to law, which oath may be administered by any officer authorized by law to administer oaths or by any one of the inspectors.

Section 8. The inspectors, before they commence receiving ballots, must cause it to be proclaimed aloud at the place of voting that the election is opened.

Section 9. Each qualified elector shall be entitled to cast one ballot, and no more, which ballot must be a paper ticket on which must be written or printed the words: "For Removal to Hartford," or the words: "Against Removal," as the elector may desire to vote. No official ballot shall be required, nor shall any ballot be rejected for the want of form, if the inspectors are able to determine therefrom how the elector intended to vote.

Section 10. The name of each elector whose ballot has been received must immediately be taken down by each clerk on separate lists, which shall be known as the poll list; and the number of the order in which each elector votes must at the same time be entered by each clerk against his name, the first elector voting being numbered one, the second numbered two, and so on to the last elector voting, and one of the inspectors shall correctly number each ballot with the number to correspond with the number opposite the elector's name on the poll list.

Section 11. The judge of probate must furnish to the board of commissioners provided for in this act a duly certified list of the registered voters in each precinct or ward in the county on request of said commissioners or either of them, and the payment of one cent for each name contained in such list; which said lists the commissioners aforesaid shall cause to be placed in the hands of the inspectors of the respective precincts or

wards or other voting places prior to the day of said election, and all persons who are qualified electors under the constitution and general election laws of this State at the time of the election, and only such, shall be entitled to vote at any election held under the provisions of this act.

Section 12. Immediately on the closing of the polls the inspectors must count the ballots and certify the number of votes cast "For Removal to Hartford," and the number of votes cast "Against Removal," and certify on one of the poll lists that such poll list is the poll list of the election precinct or voting place at which they were inspectors and the day and year on which said election was held, and such statements of the votes and poll lists together with the ballots cast in said election, they shall securely seal up in an envelope or other wrapper or receptacle and label the same so as to show the precinct or ward in which said ballots were cast, and deliver the same to the returning officer, and said returning officer must, within twenty-four hours thereafter, deliver the same to the said board of commissioners, at the court house of the county.

Section 13. It shall be the duty of the board of commissioners to meet at the court house of the county on the next day after the day on which such election is held, and there remain and receive the returns from the several returning officers and on the second day after the day on which such election was held, the said commissioners shall meet at the court house at 12 o'clock meridian, and in the presence of such persons as may choose to attend, the said board shall make a correct statement from the returns of the several precincts and wards of the county of the whole number of votes cast "For Removal to Hartford," and the whole number of votes cast "Against Removal," and shall then and there make in writing a public declaration of the result of said election. But if it shall be made to appear to said board that the returns from any precinct or ward are destroyed or withheld, or the delivery thereof purposely delayed or prevented, said board shall take such steps as in their judgment may be necessary in order to secure

correct returns thereof, and to that end they may examine witnesses under oath, which oath may be administered by one of the commissioners touching the number of votes cast in such precinct "For Removal to Hartford," and the number of votes cast "Against Removal," and such votes shall be included in their statement. Said board shall reject any ballots shown to be illegal and shall reject any ballots shown to be illegal and shall count all legal ballots.

Section 14. Said board of commissioners, upon the conclusion of said court, shall certify in writing the result of said election, a copy of which shall be filed and recorded in the office of the judge of probate of the county and another copy published by at least one insertion by a newspaper published in the county if there be such newspaper.

Section 15. The returning officer from each precinct or ward is clothed with all the powers and charged with all the duties of a peace officer under the laws of the State, while engaged in the discharge of his duties as such returning officer. He shall receive as compensation for his services the sum of three dollars, which shall be paid by the county treasurer upon the order of said board of commissioners.

Section 16. Any duty herein required to be performed by the said board of commissioners of county seat election, may be performed by a majority of them; and a majority of the inspectors of election shall govern in the determination of all questions coming before them as such inspectors.

Section 17. If upon a canvass of the returns of said election, it shall be ascertained and declared that a majority of all the legal votes cast were in favor of the removal of the county seat, then the town of Hartford thus selected shall thereafter be the county seat of the county; and it shall thereupon be the duty of the court of county commissioners to procure by donation or by purchase at the expense of the county suitable lots or parcels of land in said town of Hartford, taking the fee simple title thereto to the county, and to cause to be erected, at the

expense of the county, a suitable court house, and a suitable jail on said lots for the county, and pending the erection and completion of the court house, to provide, at the new county seat, suitable buildings for the use of the county officers having offices in the court house and such officers shall remove their offices and the records thereof to such temporary offices as soon as practicable; and when said court house shall be completed and ready for occupancy, the said county officers shall remove their offices and the records thereof to such offices or rooms in the new courthouse as may be designated for them, respectively, by the court of county commissioners; and the sheriff, upon the completion of the jail, shall remove and keep therein any prisoners in his custody. After such removal, all courts of record for the county shall be held at the new county seat and if need be the court of county commissioners must provide suitable buildings in which to hold said courts, pending the erection and completion of the court house.

Section 18. Any officer or person who shall wilfully or corruptly fail to perform any duty required of him under any of the provisions of this act; or shall fraudulently alter or change the ballot of any elector after it has been cast; or shall make any false or fraudulent count of votes; or shall place in the receptacle for ballots any ballot not actually cast by an elector; or shall take therefrom any ballot cast by an elector; with the intention of unlawfully changing or affecting the result of the election, or shall make any false poll list, or any false count of the ballots, or any false certificate to a poll list or to the result to the count of the ballots; or shall wrongfully open the returns from any precinct or ward; or shall change, secrete, destroy or mutilate the returns from any precinct or ward, or attempt to do so; or shall prevent or attempt to prevent any such return from being made, as required herein; or shall commit or attempt to commit any fraudulent act in connection with the ordering of said election, or the holding of the election, or making the returns, or declaring a result thereof; and any person who votes more than once, or deposits more than one ballot as his vote at such elec-

tion, or knowingly attempts to vote when he knows that he is not entitled to vote; and any person, who, by bribery, or offering to bribe, or by any other corrupt means, attempts to influence any elector in giving his vote, or to deter him in giving the same, or to disturb or to hinder him in the free exercise of his right of suffrage at said election, must, in every such case, on conviction, be imprisoned in the penitentiary for not less than two nor more than five years.

G. A. Ward,
W. H. Bishop,
M. H. Metcalf,
Jno. C. Holman,
W. F. Clemmons.

The State of Alabama, }
Geneva County. }

Before me, W. M. Jerkins, a notary public in and for said county, personally came J. F. McCants, who being duly sworn, says, that he is the editor and publisher of the Hartford Times Herald, a newspaper published in said county, and that said Hartford Times Herald is a newspaper published in said county, and that the attached notice was published once a week for four consecutive weeks, in said newspaper, before the making of this affidavit.

J. E. McCants.

Sworn to and subscribed before me this 6th day of July, 1907.

W. M. Jerkins, Notary Public.

By Mr. Lee, of Houston:

H. 1117. To amend that part of section 3911 of an "Act to better provide for the revenue of the State," approved March 4, 1903, as follows: "3911. Subjects, Objects, and rates of Taxation.—There is hereby levied for the purposes named, upon the property hereinafter named, in lieu of all taxes heretofore levied, annual taxes as follows, to-wit: (a) For the maintenance of the public schools of the State thirty cents on each hundred dollars of the assessed valuation of taxable prop-

erty; (b) to carry out the provisions of an act "For the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows," approved February 23rd, 1899, to be separately reported by assessors and collectors and set apart in the treasury, ten cents on each hundred dollars of the assessed valuation of taxable property; (c) for the use of the State and to raise revenue therefor, twenty-five cents on each hundred dollars of the assessed valuation of taxable property."

Ways and Means.

By Mr. Lee, of Houston, by request (with notice and proof) :

H. 1118. For the relief of Rhena Rivers, late of Henry, now of Houston county.

Appropriations.

Notice and Proof. H. 1118.

NOTICE.

Notice is hereby given that a bill will be introduced in the coming July meeting of the Alabama Legislature for the relief of Rhena Rivers, (colored) for compensation for over time served by her in the Alabama State penitentiary on a conviction and sentence of the circuit court of Henry county at Columbia, July 14, 1898, on a charge "attempt to murder by poison."

The transcript of the minutes as certified by the clerk of the circuit court of Henry county on the 19th day of July, 1898, to the board of convicts, being that she be imprisoned in the penitentiary of the State of Alabama for a term of twenty (20) months, and by mistake of the clerk of the board of inspectors was erroneously certified to the prison authorities as (20) years, under which she was forced to serve from July 20, 1898, until her death, the 31 day of May, 1907, being over 12 years of short term service to which she was entitled by reason of good behavior.

R. H. Walker,

Attorney for her minor children.

The State of Alabama, }
Houston County. }

Before me, May Brett, a notary public in and for said county, personally appeared W. T. Hall, the proprietor and manager of the Dothan Eagle, a newspaper published in Dothan, Houston county, Alabama, and after being first duly sworn, deposes and says: That the within clipping was taken from his paper in which the same has appeared for more than thirty days prior to this date; that the said notice of the introducing in the Legislature in July of a bill for the relief of Rhena Rivers has been duly published in his paper, The Dothan Eagle, each week for the past five weeks, and for more than thirty days, and that this clipping is a true copy of same.

W. T. Hall.

Sworn to and subscribed before me, this the 9 day of July, 1907.

May Brett,
Notary Public.

By Mr. Lee, of Houston, (with notice and proof):

H. 1119. To declare the ownership of all books of record, all books of every character kept by any officer of the circuit court of Henry county at Dothan and Columbia, and all papers of every character pertaining to any cause, civil or criminal, theretofore disposed of, or pending or originating in said courts and not finally disposed of, including indictments where no arrests had been made, at the time of the organization of the county of Houston to be the property of Houston county and same to be kept in the office of the clerk of the circuit court of Houston county; to give the circuit court of Houston county jurisdiction of all such causes, civil or criminal, including indictments, where no arrest had been made at the time of the organization of said Houston county, except where the defendant was at the time of the commission of the offense alleged, in what is now Henry county, in which latter event the circuit court of Henry county shall have jurisdiction of the offense; to prescribe the duties and powers of the clerk of the circuit court of Houston county and of the sheriffs of their

respective counties with reference to the issuance of process and the execution thereof in such causes, and to ratify and confirm all orders and judgments and proceedings of the circuit courts of Henry and Houston counties in any of said causes, and the acts of the clerks of the circuit courts of said counties and of the sheriffs of their respective counties, within their powers and duties, in and about any of said causes, including the issuance of capias and arrests thereon, on indictments returned to said circuit courts of Henry county at Dothan and Columbia, and to declare same of legal force and effect the same as though such cases had originated in said circuit courts of Houston or Henry counties.

Revision of Laws.

Notice and Proof. H. 1119.

NOTICE OF PUBLICATION.

Notice is hereby given that the Legislature of the State of Alabama will be requested to pass a bill to declare the ownership of all books of record, all books of every character kept by any officer of the circuit court of Henry county at Dothan and Columbia, and all papers of every character pertaining to any cause, civil or criminal, therefore disposed of or pending or originating in said courts and not finally disposed of, including indictments, where no arrest has been made, at the time of the organization of the county of Houston, to be the property of Houston county, and same to be kept in office of the clerk of the circuit court of Houston county, to give the circuit court of Houston county jurisdiction of all such causes civil or criminal, including indictments where no arrest had been made at the time of the organization of said Houston county, except where the defendant was at the time of the commission of the offense alleged, in what is now Henry county, in which latter event the circuit court of Henry county shall have jurisdiction of the offense; to prescribe the duties and powers of the clerk of the circuit court of Houston and of the sheriffs of their respective counties

with reference to the issuance of process and their execution thereof in such causes and to ratify and confirm all orders and judgments and proceedings of the circuit courts of Henry and Houston counties in any of said causes, and the acts of the clerks of the circuit courts of said counties and of the sheriffs of their respective counties, within their powers and duties, in and about any of said causes, including the issuance of capias and arrests therein on indictments returned to said circuit courts of Henry county at Dothan and Columbia, and to declare same of legal force and effect the same as though such cases had originated in said circuit courts of Houston or Henry counties.

The State of Alabama, }
Houston County. }

Before me, H. A. Pearce, judge of the 12th judicial circuit in and for said State and county, personally appeared W. T. Hall, who, being first duly sworn, deposes and says, that he is the publisher of The Dothan Eagle, a newspaper published weekly in the town of Dothan, Houston county, State of Alabama; that the foregoing and attached notice was published in The Dothan Eagle for four consecutive weeks prior to this date.

W. T. Hall.

Sworn and subscribed to before me this the 6th day of July, 1907.

H. A. Pearce,
Judge of the 12th Judicial Circuit.

By Mr. Armstrong:

H. 1120. To amend sections two and three of an act entitled an act "Authorizing the court of county commissioners, upon petition filed and proof being made, and authorizing the State auditor upon proper certificate and proof being furnished him by the judge of probate from the court of county commissioners, to refund to any person owning property subject to taxation in this State, money, which was not due for taxes, but was paid through a mistake or error, in the assessment, or collection of taxes," approved September 29, 1903.

Ways and Means.

By Mr. Armstrong, (with notice and proof) :

H. 1121. To prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous or malt liquors, intoxicating beverages or proprietary medicines in Jackson county, Alabama, and to prohibit the shipping into said county by common carrier, and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or malt liquors, intoxicating beverages or intoxicating bitters or intoxicating proprietary medicines, from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving of orders for spirituous, vinous or malt liquors, or intoxicating beverages, intoxicating bitters, or intoxicating proprietary medicines, in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages or intoxicating proprietary medicines by any person in said county over telegraph or telephone line and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters or intoxicating proprietary medicines to any point within this State, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict herewith.

Temperance.

Notice and Proof. H. 1121.

Notice is hereby given that a bill will be introduced in the Legislature entitled an act:

AN ACT

To prohibit the sale, barter, exchange, giving away, lending, delivery or otherwise disposing of spirituous or malt liquors, intoxicating beverages or proprietary medicines in Jackson county, Ala., and to

prohibit the shipping into said county by common carrier and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or malt liquors, intoxicating beverages or intoxicating bitters or intoxicating proprietary medicines from any place within this State and to prohibit the procuring for another or the taking or soliciting or receiving of orders for spirituous, vinous, or malt liquors or intoxicating beverages, intoxicating bitters or intoxicating proprietary medicines in said county and to prohibit the giving of orders for spirituous, vinous, or malt liquors, intoxicating beverages or intoxicating proprietary medicines in said county and to prohibit the giving of orders for spirituous, vinous, or malt liquors, intoxicating beverages or intoxicating proprietary medicines by any person in said county over telegraph or telephone line and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters or intoxicating proprietary medicines to any point within this State and to provide penalties for all such prohibited acts and to repeal all laws in conflict herewith.

Section 1. Be it enacted by the Legislature of Alabama, That it shall be unlawful for any person, firm, or corporation to sell, barter, exchange, give away, lend, deliver, or otherwise dispose of any spirituous, vinous, or malt liquors, intoxicating beverages, or intoxicating proprietary medicines in Jackson county, Ala.

Section 2. Be it further enacted, That it shall be unlawful for any common carrier, person, or corporation to ship, bring or carry into Jackson county, from any other place or point within this State, for the use of any person than himself, herself, itself, or to procure or obtain for any other person in said county any spirituous, vinous or malt liquors or intoxicating beverages, or intoxicating proprietary medicines.

Section 3. Be it enacted further, That it shall be unlawful to take or solicit in Jackson county any order or

orders for spirituous, vinous, or malt liquors, intoxicating beverages or intoxicating bitters, or intoxicating proprietary medicines or to carry within or from said county any such orders.

Section 4. Be it further enacted, That it shall be unlawful for any person or corporation in said county to order, give, or receive or transmit any order or orders, to any point within this State for himself or any other person or corporation, over telephone or telegraph line for spirituous, vinous or malt liquors, intoxicating proprietary medicines to be sent, shipped or brought into Jackson county.

Section 5. Be it further enacted, That any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be imprisoned in the county jail or sentenced to hard labor for the county for not less than 3 months nor more than 12 months and shall pay a fine of not less than 50 nor more than 500 dollars.

I, James Armstrong, hereby certify that I am editor and proprietor of the Scottsboro Citizen, a newspaper published in Jackson county, in the State of Alabama; that the printed notice hereto attached was published in said newspaper four consecutive weeks previous to the 9 day of July, 1907.

Jas. Armstrong.

Sworn to and subscribed before me this 12 day of July, 1907.

J. T. Cook,

Notary Public, Montgomery County, Alabama.

By Mr. Lovelady, (by request):

H. 1122. To authorize cities and towns in Alabama to sell and dispose of water-works, gas and electric plants, owned by such cities and towns.

Municipal Organization.

By Mr. Lovelady:

H. 1123. To exempt from taxation all the property, both real and personal, belonging to the Eastern Star.

Ways and Means.

By Mr. Ragsdale:

H. 1124. To amend sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17 and 18, of, and to add sections 9 1-2, 16 1-2, 17 1-2, 24 and 25 to an act entitled an act to amend, re-construct and provide for the enforcement of the laws relating to the public health, approved Oct. 9, 1903.

Public Health.

By Mr. Ragsdale:

H. 1125. For the relief of indigent widows of Confederate veterans.

Appropriations.

By Mr. Ragsdale, (with notice and proof):

H. 1126. To amend Sec. 28 of an act entitled "An act to establish the city court of Bessemer," approved February 28th, 1901.

Judiciary.

Notice and Proof. H. 1126.

NOTICE.

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama to amend section 28 of an act entitled an act to establish the city court of Bessemer, approved February 21, 1901, so as to require the solicitor of said court to be elected by the people of the territory over which said court has jurisdiction instead of to be appointed by the solicitor of Jefferson county; and to increase the salary of said solicitor from \$1200 to two thousand dollars per annum.

The State of Alabama, }
Jefferson County. }

Before me, E. L. Huey, a notary public in and for said county, in said State, personally appeared Wm. H. H. Judson, who, being duly sworn, doth depose and say: I am the editor and proprietor of the "Bessemer Weekly," a newspaper published at Bessemer, Alabama; the foregoing notice hereto attached was published in the "Bessemer Weekly," a newspaper published at Bessem-

er, Alabama, once a week for four consecutive weeks, on the following dates, to-wit: beginning with the issue of December 29, 1906. Wm. H. H. Judson.

Subscribed and sworn to before me this 10th day of July, 1907.

E. L. Huey,
Notary Public.

By Mr. Ragsdale:

H. 1127. To amend section 17 of an act entitled an act to provide a system of quarantine for this State, approved February 23, 1899.

Public Health.

By Mr. Smith, of tEowah:

H. 1128. To amend an act to amend section 2038 of the Code of Alabama, of 1896, approved February 23, 1899.

Judiciary.

By Mr. John:

H. 1129. To encourage the development of the various unused water powers in this State, by exemptions from taxation for a period of ten years.

Ways and Means.

By Mr. John:

H. 1130. To encourage the manufacture of calcium cyanamid (lime of nitrogen) in this State, by exemptions from taxation for a period of ten years.

Ways and Means.

By Mr. John:

H. 1131. To provide for the care and preservation of the lands of "The Alabama Insane Hospitals," and to require the trustees to convey to the corporation their title thereto and to provide for the issuance of patents direct to the purchaser from the Alabama Insane Hospitals, or to the corporation, and to protect the lands from illegal sales for taxes.

Judiciary.

By Mr. John:

H. 1132. To amend section 8 of an act entitled "An act to confer and limit the powers of business corporations, and to provide for their organization and regulation, approved October 2, 1903.

Judiciary.

By Mr. Haley:

H. 1133. To authorize cities of the State of Alabama having, according to the next preceding federal census, a population of more than thirty-five thousand, to compel the construction and maintenance of bridges, viaducts and tunnels and their approaches, over, under or across railroad tracks within the city limits; and to provide for defraying the expense of the same.

Judiciary.

By Mr. Haley, (with notice and proof):

H. 1134. To repeal an act to provide for the establishing of a separate school district, to be known as the North Birmingham district in Jefferson county, Alabama, and to provide for the selection of a board of trustees for said school district, with certain duties and powers, approved Mar. 4, 1901.

Local Legislation.

Notice and Proof. H. 1134.

The State of Alabama,)
Jefferson County. }

Before me, L. J. Haley, Jr., J. P., personally appeared E. W. Jones, who, being duly sworn, deposes and says that he is manager and editor of the Jones Valley Times, a weekly newspaper published in said county, and that the publication of a certain notice, a copy of which is hereunto attached is a true copy, has been made in said paper for four consecutive weeks, to-wit on the 10th, 17th, 24th and 31st days of January, and February 7th, 1907.

E. W. Jones.

Sworn to and subscribed before me this the 8 day of July, 1907.

L. J. Haley, Jr.,
Notary Public.

NOTICE.

Bills will be introduced into the Legislature:

1st. To amend an act to provide an office and increased salary for the county superintendent of Jefferson county, and to further define his duties, approved

February 22nd, 1887, by leaving out section 2 of said act, which provides additional pay for said superintendent.

2nd. To repeal an act to provide for the election of county superintendent of education by a vote of the people in the county of Jefferson, approved February 21st, 1899.

3rd. To repeal an act to provide for the establishing of a separate school district to be known as the Oxmoor district, at Oxmoor, in Jefferson county, Alabama, with certain powers and privileges of levying taxes to sustain said school district, approved February 9th, 1877.

4th. To repeal an act to provide for the establishing of a separate school district to be known as the North Birmingham district, in Jefferson county, Alabama, and to provide for the selection of a board of trustees for said school district, with certain duties and powers, approved March 4th, 1901.

By Mr. Haley, (with notice and proof) :

H. 1135. To repeal an act establishing of a separate school district, to be known as the Oxmoor district, at Oxmoor, in Jefferson county, Alabama, with certain powers and privileges of levying taxes to sustain said school, approved February 9th, 1877.

Local Legislation.

Notice and Proof. H. 1135.

The State of Alabama, }
Jefferson County. }

Before me, L. J. Haley, Jr., N. P., personally appeared E. W. Jones, who, being duly sworn, deposes and says that he is manager and editor of the Jones Valley Times, a weekly newspaper published in said county, and that the publication of a certain notice, a copy of which is hereunto attached is a true copy, has been made in said paper for four consecutive weeks, to-wit: on the 10th, 17th, 24th, and 31st days of January, and February 7th, 1907.

E. W. Jones.

Pitts (Perry)	Rainer	Smith (Lee)
Powell (Covington)	Ratray	Tunstall
Power	Rowe	Weaver
Pratt	Rushton	White (Lamar)
Pugh	Smith (Elmore)	White (Perry)
Ragsdale	Smith (Etowah)	

—56.

H. 797. To require the commissioners' court of Marion county to advertise for bids for the building of public bridges and other public improvements for at least thirty days before the same is let in some newspaper published in said county and to provide for the manner of letting or receiving bids for same.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Peete
Altman	Henley	Pitts (Perry)
Armstrong	Hoffman	Powell (Covington)
Arnold	Hughston	Power
Avery	John	Pratt
Ballard (Pike)	Johnson	Pugh
Benson	Killen	Ragsdale
Brown	Kornegay	Rainer
Cannon	Lacy (Walker)	Ratray
Carmichael (Clay)	Lee (Houston)	Rowe
Cooper	Long (Morgan)	Rushton
Cranford	Lyons	Smith (Elmore)
Doyle (Clark)	Mastin	Smith (Etowah)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	McCrary	Weaver
Fuller	Norville	White (Lamar)
Glover	Parker	White (Perry)
Goodwyn	Pearson	

—56.

H. 742. To prohibit the sale of intoxicating liquors of every kind, within three miles of the public school

house at Creola, Mobile county, Alabama, and to provide for the violation of this act.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Peete
Altman	Henley	Pitts (Perry)
Armstrong	Hoffman	Powell (Covington)
Arnold	Hughston	Power
Avery	John	Pratt
Ballard (Pike)	Johnson	Pugh
Benson	Killen	Ragsdale
Brown	Kornegay	Rainer
Cannon	Lacy (Walker)	Ratray
Carmichael (Clay)	Lee (Houston)	Rowe
Cooper	Long (Morgan)	Rushton
Cranford	Lyons	Smith (Elmore)
Doyle (Clark)	Mastin	Smith (Etowah)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	McCrory	Weaver
Fuller	Norville	White (Lamar)
Glover	Parker	White (Perry)
Goodwyn	Pearson	

—56.

H. 224. To repeal an act entitled an act to increase the jurisdiction of justices of the peace, in Marion and other counties, approved February 13, 1891, so far as the same relates to Marion county.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Elrod
Altman	Cannon	Foster
Armstrong	Carmichael (Clay)	Fuller
Arnold	Cooper	Glover
Avery	Cranford	Goodwyn
Ballard (Pike)	Doyle (Clark)	Haley
Benson	Doyle (Marengo)	Henley

Hoffman	Moore	Rainer
Hughston	McCrory	Rattray
John	Norville	Rowe
Johnston	Parker	Rushton
Killen	Pearson	Smith (Elmore)
Kernegay	Peete	Smith (Etowah)
Lacy (Walker)	Pitts (Perry)	Smith (Lee)
Lee (Houston)	Powell (Covington)	Tunstall
Long (Morgan)	Power	Weaver
Lyons	Pratt	White (Lamar)
Mastin	Price	White (Perry)
Mitchell	Ragsdale	

—56.

WITHDRAWAL OF BILL.

Mr. Pratt asked unanimous consent of the House to withdraw a certain bill. Consent was granted and the bill:

H. 571. To authorize the town of Gordo in Pickens county, Alabama, to buy and sell spirituous, vinous and malt liquors and to regulate the sale thereof.

Was withdrawn.

ADJOURNMENT.

On motion of Mr. Sample, the House adjourned until 8:30 o'clock Friday morning, July 12th.

THIRTY-NINTH DAY.

House of Representatives,
Friday, July 12, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by the Rev. Mr. Rice, of the House.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Edwards	Long (Morgan)
Alford	Elrod	Lovelady
Altman	Foster	Lyons
Armstrong	Fuller	Malone
Arnold	Glover	Maner
Arrington	Goodwyn	Mastin
Avery	Gunter	Middleton
Ballard (Autauga)	Haley	Mitchell
Ballard (Pike)	Henley	Moore
Baltzell	Hoffman	McDuffie
Barton	Hughston	McMillan
Benners	Jenkins	Norville
Benson	John	Oliver
Bloch	Johnson	Parker
Brown	Jones	Pearson
Bulger	Killen	Peete
Burney	Kirby	Pitts (Dallas)
Cannon	Kornegay	Pitts (Perry)
Carmichael (Clay)	Lacy (Dallas)	Powell (Bullock)
Coleman (Lowndes)	Lacy (Walker)	Powell (Covington)
Coleman (Marshall)	Lancaster	Power
Cooper	Lawson	Pratt
Cranford	Lee (Barbour)	Price
Crum	Lee (Etowah)	Pugh
Doyle (Clark)	Lee (Houston)	Ragsdale
Doyle (Marengo)	Lindsey	Rainer
Dudley	Long (Butler)	Rattray

Rice	Smith (Elmore)	Urquhart
Rowe	Smith (Etowah)	Vann
Rushton	Smith (Franklin)	Weaver
Sample	Smith (Lee)	White (Lamar)
Sanders	Steagall	White (Perry)
Seale	Tunstall	Williams
Sherrod	Turner	Woolf

—102.

A quorum was present.

JOURNAL.

Mr. Glover, acting chairman of the standing committee on Revision of the Journal, made the following report:

Mr. Speaker:

Your committee on the Revision of the Journal begs leave to report as follows:

We have examined the Journal for the thirty-eighth day and find the same to be correct. J. T. Glover,
Acting Chairman.

The report of the committee was concurred in and the Journal of the 38th day was approved.

LEAVE OF ABSENCE

Was granted to Mr. McCrory for today.

PRIVILEGES OF THE FLOOR

Were granted Hon. H. Austell, and Hon. R. J. Lyons, of Mobile, for today; Hon. H. S. D. Malory, of Selma, for today; Hon. Thos. J. Stephens, from Lee county, for today; and to Judge Cargile, of Scottsboro, for today.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills have examined the following House bill and joint resolution and beg leave to report the same correctly enrolled:

H. 388. A bill to be entitled an act, to repeal an act entitled an act to incorporate the South Side Reading Club of Birmingham, Ala.," approved February 13, 1897.

H. J. R. 223. Joint resolution of the Legislature of Alabama to give assent to the purposes of the grant made by the act of Congress to provide for an increased annual appropriation for the agricultural experiment station in connection with the Land Grant colleges.

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk; the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill, H. 388, and H. J. R. 223, whose titles are set out in the above and foregoing report from the standing committee on Enrolled Bills.

RESOLUTIONS.

The following resolutions were introduced and referred to appropriate standing committees as follows:

By Mr. Jenkins:

H. R. 233. Be it resolved by the House, That in addition to the clerks now allowed to the committees a clerk be allowed the committee on Counties and County Boundaries.

Rules.

By Mr. Kirby:

H. R. 234. Resolved, that,

S. 131. To submit to the qualified electors of the State, at the general election to be held on the first

Tuesday after the first Monday in November, 1908, for two associate justices of the supreme court, for their consideration an amendment to sections 46 and 48 of article 4 of the constitution so as to provide for biennial sessions of the Legislature.

Be set for Saturday first thing after reports of standing committees.

Rules.

By Mr. Coleman, of Marshall:

H. R. 235. Resolved, that House bill No. 151, To prohibit the disposition of malt, spirituous and vinous liquors in certain localities of this State,

Be made a special order for Monday, July 15, immediately after reading the journals.

Rules.

By Mr. Gunter:

H. R. 236. Resolved, that H. B. 1158, a bill "To be entitled an act to provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act," be made a special, paramount, continuing, exclusive order for Wednesday, July 17th, 1907, immediately after the reading and approval of the journal.

Rules.

By Mr. Bloch:

H. R. 237. Resolved, that H. B. 547, To be entitled an act to amend chapter 78 of the Code of 1896,—Mines and Mining—be made a special, continuing order for Tuesday, July 16, 1907; immediately after the special orders heretofore set for that day.

Rules.

By Mr. Lovelady:

H. R. 238. Resolved, that the following House bills, touching the revenues, be made special continuing orders for Wednesday, 17th day of July, 1907, to-wit:

H. No. 922. To require each and every officer, tribunal or court whose duty it is to assess or value property for taxation at 50 per cent. of its cash value.

H. No. 987. To impose tax on dogs.

H. No. 943. Relative to assessment of bank stocks.

H. No. 1024. Tax on cotton mills heretofore exempt.

H. No. 1028. Repeals section 22 of act Mch. 7, 1907, as to tax collectors' receipts.

H. No. 1077. Tax on foreign money lenders.

Rules.

By Mr. Rushton:

H. R. No. 239. Resolved, that House bill No. 737, To amend section 4333 of the Code, relating to appeals in criminal cases—to prevent reversals for mere technicalities—be made a special and continuing order for Tuesday, July 16, immediately after the report of standing committees.

Rules.

By Mr. Rushton:

H. R. 240. Resolved, that House bill No. 908, To make it lawful for the defendant in all prosecutions for libel, or for the publication of papers investigating the official conduct of officers or men in public capacity, or when the matter published is proper for public information, to give in evidence the truth thereof and such evidence shall be good in mitigation, extenuation or justification as the jury may determine, and the jury shall determine the law and the facts under the direction of the court, be made a special continuing order for eleven o'clock Monday, July 15, 1907.

Rules.

By Mr. Lacy, of Walker:

H. R. 241. Resolved, that H. 638, To prohibit the issuance and acceptance of free transportation upon the street railroads within this State and to provide for the punishment thereof, be made a continuing special order for Monday, July 15th, immediately after the report of the committee on the Revision of the Journal.

By Mr. Long, of Butler:

H. R. 242. Resolved, that H. B. 781, To prevent the running of freight trains on Sunday, be made a special order as soon as possible by the Rules committee.

Rules.

By Mr. Smith, of Elmore:

H. R. 243. Resolved, that H. B. 641, To appropriate \$2,500.00, with amendment, to the Electric High School, be made a special and continuing order for Wednesday, the 17th day of July, 1907.

Rules.

By Mr. Rattray:

H. R. 245. Resolved, that H. B. 872, To provide for the establishment of high schools, etc., be made a special, continuing order for

Rules.

By Mr. Carmichael, of Clay:

H. R. 246. Resolved, by the House, that House bill 779, To amend sections two and five of an act entitled an act to provide for the recovery to the State of lands not legally patented and to settle disputed titles, approved Feby. 23rd, 1899, be made a special, continuing order for Tuesday, the 18th inst.

Rules.

Mr. Steagall introduced the following resolution and on motion of Mr. Steagall the rules were suspended and the resolution was adopted:

By Mr. Steagall:

H. J. R. 244. Resolved, by the House, the Senate concurring, that the House and Senate meet in joint convention in the Hall of the House of Representatives at 4:30 p. m. today to pay tribute to the life, character and services of the late Speaker of the House of Representatives, Hon. William L. Martin.

MESSAGE FROM THE GOVERNOR.

Montgomery, Ala., July 12th, 1907.

To the House of Representatives:

I hereby return H. B. No. 692, entitled an act, "To amend section 6, 9, 10, 16, 17, 19 and 20 of an act entitled an act, "to provide for the redistricting of the public schools of the State and for the management and

control of the same," approved September 30th, 1903, and I suggest and recommend the following amendment thereto, viz.:

1. Amend section 5 of said act by inserting therein immediately after the words: "Superintendent of Education of the State," the following words, "by and with the consent and approval of the governor."

B. B. Comer,
Governor.

On motion of Mr. Arnold, the amendment proposed by the governor to H. 692 was concurred in and adopted.

Yeas, 65; nays, 5.

Yeas:

Messrs:—

Speaker	Kirby	Pugh
Armstrong	Lacy (Walker)	Ragsdale
Arnold	Lancaster	Rainer
Avery	Lawson	Rattray
Barton	Lee (Barbour)	Rice
Benson	Lee (Houston)	Rowe
Bloch	Lindséy	Rushton
Bulger	Long (Butler)	Sanders
Cannon	Long (Morgan)	Sherrod
Carmichael (Clay)	Lyons	Seale
Coleman (Lowndes)	Malone	Smith (Elmore)
Cooper	Middleton	Smith (Franklin)
Cranford	Moore	Steagall
Crum	McDuffie	Turner
Doyle (Marengo)	McMillan	Urquhart
Fuller	Oliver	Vann
Gunter	Pearson	Weaver
Henley	Peete	White (Lamar)
Hughston	Pitts (Perry)	White (Perry)
Jenkins	Powell (Bullock)	Williams
John	Power	Woolf
Jones	Price	

Nays:

Messrs:—

Edwards

Lee (Etowah)

Smith (Etowah)

Elrod

Lindsey

—5.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Ballard, of Autauga, (with notice and proof):

H. 1084. To prohibit the shipping into Autauga county by common carriers and the bringing into the said county by any person for the use of any other person than himself, any spirituous, vinous, malt, or intoxicating liquors from any place within this State, and to prohibit the procuring of any such liquors for another in said county, or the giving, taking, soliciting, or receiving of orders for such liquors in said county, and to provide penalties for the violation of such prohibited acts.

Temperance.

Notice and proof. H. 1084.

The State of Alabama, }
County of Autauga. }

Before me, J. R. Thomas, a notary public in and for said State and county, personally appeared Chas. T. Kent, who, being duly sworn, deposes and says: That he is the manager of the "Prattville Progress," a weekly newspaper published at Prattville, Autauga county, Alabama, and that the following notice (a printed copy of which is as follows):

NOTICE.

At the adjourned session of the Legislature of Alabama, to meet in July next, there will be introduced for passage a bill substantially as follows: A bill, to be entitled, "An act to prohibit the shipping into Autauga county by common carriers, and the bringing into said

county by any person for the use of any person other than himself, any spirituous, vinous, malt, or intoxicating liquors from any place within this State, and to prohibit the procuring of any such liquors for another in said county, or the giving, taking, soliciting, or receiving of orders for such liquors in said county, and to provide penalties for the violation of such prohibited acts."

Section 1. Be it enacted by the Legislature of Alabama, That it shall be unlawful for any common carrier, person or corporation, to ship, or bring, into Autauga county, from any place or point within this State, for the use of any person other than himself, or to procure or obtain for any other person in said county, any spirituous, vinous, malt, or intoxicating liquors.

Sec. 2. That it shall be unlawful to give, take, solicit or receive in Autauga county any order for spirituous, vinous, malt or intoxicating liquors, or to carry within or from said county any such order.

Sec. 3. That any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction, shall pay a fine of not less than fifty nor more than five hundred dollars, and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six months."

Has been published in said newspaper once a week for four consecutive weeks, before the making of this affidavit.

Chas. T. Kent, Manager.

Sworn to and subscribed before me, this 8th day of July, 1907.

J. R. Thomas,
Notary Public.

By Mr. Jenkins:

H. 1085. To amend an act to establish a State livestock sanitary board and the office of State veterinarian in order to further protect livestock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama, approved March 12th, 1907.

County and County Boundaries.

By Mr. Jenkins:

H. 1086. To amend an act, approved October 1st, 1903, to regulate primary elections in the State of Alabama.

Privileges and Elections.

By Mr. Williams:

H. 1087. To amend an act entitled an act relating to the preservation, propagation and protection of the fish of Alabama, approved February 19th, 1907.

Game, Fish and Forestry Preservation.

By Mr. Weaver:

H. 1088. To ratify and confirm all elections held under the act approved September 29, 1903, (Acts 1903, page 431) providing for the establishment of stock law districts where said elections and the proceedings to obtain the same have been irregular.

Revision of Laws.

By Mr. Weaver, (with notice and proof):

H. 1089. To require one round to be made by the tax collector and tax assessor of Blount county for the purpose of assessing and collecting taxes said round to begin the first Monday of November of every year.

Local Legislation.

Notice and Proof. H. 1089.

NOTICE.

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama in substance as follows: That the tax assessor of Blount county shall be required to make but one round in said county for the collection and assessment of taxes, said round to begin the first Monday in November.

The State of Alabama, }
Blount County. }

Before me, the undersigned authority, personally appeared F. G. Stephens, who, being first duly sworn, de-

poses and says that he is the editor and owner of the Southern Democrat, a weekly newspaper published in said Blount county, and that a notice was published in said paper for four consecutive weeks, beginning June —, that a bill would be introduced at the present session of the Legislature to require the tax collector and tax assessor to make one round in said county for the assessment and collection of taxes, copy attached.

F. G. Stephens.

Sworn to and subscribed before me this June 28, 1907.

W. A. Weaver,
Notary Public.

By Mr. Weaver, (with notice and proof) :

H. 1090. To create the sixteenth judicial circuit for the State of Alabama, to be composed of the counties of Blount, Etowah and St. Clair, to confer equity jurisdiction on said court as to matters arising in Blount and St. Clair counties, and to provide for registers in chancery therein; to provide for the appointment and election of a judge and solicitor for said circuit and fix their salaries, and for the removal of pending causes and for the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit and to authorize the judge of said circuit to adopt reasonable rules of practice to facilitate the business of the courts therein; to fix the time of holding courts in said circuit and places at which such courts shall be held and to require that a jury be demanded in civil causes.

Judiciary.

Notice and proof. H. 1090.

The State of Alabama, }
St. Clair County. }

I, George R. Cather, publisher of the Southern Aegis, a weekly newspaper published in St. Clair county, Ala., solemnly swear that notice of the application for the passage of a law to create the sixteenth judicial circuit

for Alabama composed of the counties of Blount, Etowah, and St. Clair, providing for the election and appointment of officers, designating times and places of holding courts, defining jurisdiction and powers of said courts, etc., which notice is hereto annexed as a part of this oath, appeared in the Southern Aegis for four consecutive weeks and circulated through the mail or by delivery each week in the regular mailing manner to its subscribers, beginning on the 5th day of June, 1907, and ending on the 5th day of July, 1907, inclusive.

George R. Cather.

Sworn to and subscribed before me, Jas. M. Garrett, clerk of the circuit court of St. Clair county, Alabama, this 26th day of June, 1907. Jas. M. Garrett, Clerk.

NOTICE.

A bill will be introduced at the present session of the Legislature in substance as follows: To create the 16th judicial circuit of Alabama, composed of the counties of Blount, Etowah, and St. Clair; to designate the times and places of holding court therein; to provide for the appointment and election of a judge and solicitor thereof and fix their salaries; to confer equity jurisdiction on said court in Blount and St. Clair; to provide for registers in chancery therein and fix their duties and fees; to provide for removal of pending causes and the remanding of pending appeals and for jury and non-jury terms of court therein and for the call of the equity docket thereof not less than three times a year and for giving notice of same by register; that in Etowah no grand jury shall be drawn except by order of the judge; to authorize the judge of same to adopt reasonable rules of practice therefor; civil cases shall be triable without jury unless a jury be demanded by defendant within fifteen days from service.

The State of Alabama, }
Blount County. }

Personally appeared before me the undersigned authority, F. G. Stephens, who, being first duly sworn,

doth depose and say that he is the owner and publisher of the Southern Democrat, a weekly newspaper published in said Blount county, Alabama, and that notice was given in said paper for four consecutive weeks, beginning June 6, 1907, of the intention to introduce a bill to create the sixteenth judicial circuit for Alabama at the present session of the Legislature and setting forth the substance of the proposed bill, a copy of which is hereto attached.

F. G. Stephens.

Sworn to and subscribed before me this July 6, 1907.

W. A. Weaver,
Notary Public.

NOTICE.

A bill will be introduced at the present session of the Legislature in substance as follows: To create the 16th judicial circuit of Alabama, composed of the counties of Blount, Etowah, and St. Clair; to designate the times and places of holding court therein; to provide for the appointment and election of a judge and solicitor thereof and fix their salaries; to confer equity jurisdiction on said court in Blount and St. Clair; to provide for registers in chancery therein and fix their duties and fees; to provide for removal of pending causes and the remanding of pending appeals and for jury and non-jury terms of court therein and for the call of the equity docket thereof not less than three times a year and for giving notice of same by register; that in Etowah no grand jury shall be drawn except by order of the judge; to authorize the judge of same to adopt reasonable rules of practice therefor; civil cases shall be triable without jury unless a jury be demanded by defendant within fifteen days from service.

The State of Alabama,)
County of Etowah. }

On this the 6th day of July, 1907, personally appeared Chas. E. Meeks, who, being duly sworn, doth depose and say, that he is general manager of the Times-News, a newspaper published in the city of Gadsden,

Section 2. Be it further enacted, That all laws and parts of laws in conflict herewith be and the same are hereby repealed.

The State of Alabama, }
Coffee County. }

Before me, S. N. Rowe, probate judge in and for said State and county, personally appeared M. S. Carmichael, who, being by me duly sworn, doth depose and say that he is editor of The Elba Clipper, a newspaper published in said State and county, and that the hereto attached notice of proposed legislation, a copy of which is hereto attached, was published in said paper four consecutive weeks ending July 5, 1907.

M. S. Carmichael.

Subscribed and sworn to before me this 9th day of July, 1907.

S. N. Rowe,
Probate Judge.

By Mr. Long, of Morgan (with notice and proof) :

H. 1166. For the relief of Marvin Cowan.

Appropriations.

Notice and Proof. H. 1166.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama to pay Marvin Cowan \$400.00 for the arrest of one Waymond Moore upon a charge of murder and his delivery to the sheriff of Morgan county.

PROOF OF PUBLICATION.

The State of Alabama, }
Morgan County. }

Before me, Dan Walden, a justice of the peace, personally appeared H. E. Hildreth, who, being duly sworn, deposes and says, on oath, that he is the publisher of the

New Decatur Advertiser, a newspaper published in New Decatur, in said county; and further, that the annexed advertisement of notice to Legislature was given publication in said newspaper for the period of four consecutive weeks, beginning June 6th, 1907.

H. E. Hildreth.

Sworn and subscribed to before me, this 1st day of July, 1907.

Dan Walden,

N. P. & Ex. of J. P.

By Mr. Sample:

H. 1167. To prohibit pools, trusts, monopolies and conspiracies to control business and prices of articles; to prevent the formation or operation of pools, trusts, monopolies and combinations of charters of corporations that violate the terms of this act, and to authorize the institution of prosecutions and suits herefor.

Judiciary.

By Mr. Sample, (with notice and proof):

H. 1168. To amend sections 6 and 7 of an act entitled "An act to establish the Morgan county law and equity court; to create and define its jurisdiction; provide its officers, their powers, duties, and compensation; to fix the terms of said court; and to prescribe rules and procedure for said court," approved February 23rd, 1907.

Judiciary.

Notice and Proof. H. 1168.

The State of Alabama, }
Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and for said county in said State, this day personally came J. A. West, known to me to be the editor and manager of the Hartselle Enquirer, a weekly newspaper published in Hartselle, Morgan county, Alabama, who, being by me duly sworn, deposes and says: That he is editor and manager of the Hartselle Enquirer, a weekly newspaper published in Hartselle, Morgan county, Alabama, and that a notice was published, without cost to the

State of Alabama, once a week for four consecutive weeks in said newspaper before the making of this affidavit, which notice was in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the present Legislature, which convenes July 9th, 1907, to amend section 6 and 7 of an act entitled an act to establish the Morgan county law and equity court, to create and define its jurisdiction; provide its officers, their powers, duties and compensation; to fix the terms of said court; to prescribe rules and procedure for said court, approved February 25th, 1907, so as to provide:

1st. For the holding of two sessions of the spring term and two of the fall term of the Morgan county law and equity court at Hartselle, Alabama, at a place to be prepared, furnished and designated by the commissioners' court of said county.

2nd. Authorize and provide for the trial of all cases against or between parties, one of whom resides in that part of said county lying east, south and east and south of Flint creek and West Flint creek, Flint creek up to the mouth of West Flint creek and West Flint creek to Lawrence county, being the dividing line.

3rd. For summonsing juries for said courts, the docketing and trying of said causes and prescribe the duties of the judge and clerk with reference thereto.

(Signed) Jno. R. Sample.

That said notice was published in said paper in the issues of June 20th, 27th, July 4th, and 11th, 1907.

J. A. West.

Subscribed and sworn to before me this 12th day of July, 1907.

J. C. Hogan,
Justice of the Peace

By Mr. Sample, (with notice and proof) :

H. 1169. To establish an inferior court in precinct No. 10, in Morgan county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, and to define the jurisdiction and powers of said court and the judge thereof.

Judiciary.

Notice and Proof. H. 1169.

The State of Alabama, }
Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and for said county in said State, this day personally came Emmett Gray, known to me to have been, during the months of January and Feby, 1907, editor and manager of the Hartselle Enquirer, a weekly newspaper published in Hartselle, Morgan county, Alabama, who, being by me duly sworn, deposes and says: That he was during the months of January and February, 1907, editor and manager of the Hartselle Enquirer, a weekly newspaper published in Hartselle, Morgan county, Alabama, and that a notice was published, without cost to the State of Alabama, once a week for four consecutive weeks in said newspaper before the making of this affidavit, which notice was in words and figures as follows, to-wit:

NOTICE.

To whom it may concern:

Notice is hereby given that a bill will be introduced in the Legislature of Ala., (session of 1907) the substance of which will be to create a court of inferior jurisdiction in precinct number ten (No. 10) of Morgan county, Alabama, in lieu of all justices of the peace and notaries public, ex-officio justices of the peace, in said precinct; to provide a judge of said court, defining their jurisdiction, and prescribing salaries or compensation of said judge or judges; also a bill will be introduced in said session of the Legislature of Alabama, the sub-

stance of which will be the abolition of the office of notaries public, and ex-officio justices of the peace, in precinct ten (10) of Morgan county, Alabama.

That said notice was published in said paper in the issues of January 17th, 24th, 31st and February 7th, 1907.

Emmett H. Gray.

Subscribed and sworn to before me this——day of July, 1907.

J. C. Hogan,
Justice of the Peace.

By Mr. Sample, (with notice and proof) :

H. 1170. To provide for the payment of outstanding claims against the fine and forfeiture fund of Morgan county; to provide for the issuing and payment of all witness certificates in behalf of the State out of the fine and forfeiture fund, authorize and direct the county treasurer to appropriate and transfer from the general funds of the county to the fine and forfeiture fund a sufficient amount to pay said witness certificates and to provide for quarterly reports of the condition of said funds.

Local Legislation.

Notice and Proof. H. 1170.

The State of Alabama, }
Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and for said county in said State, this day personally came J. A. West, known to me to be the editor and manager of the Hartselle Enquirer, a weekly newspaper published in Hartselle, Morgan county, Alabama, who, being by me duly sworn, deposes and says: That he is editor and manager of the Hartselle Enquirer, a weekly newspaper published in Hartselle, Morgan county, Alabama, and that a notice was published, without cost to the State of Alabama, once a week for four consecutive weeks in said newspaper before the making of this affidavit, which notice was in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the present Legislature, which convenes July 9th, 1907, which will provide:

1st. For the payment of all outstanding claims against the fine and forfeiture fund of Morgan county in the order in which said claims are registered, one-half of the funds coming into the fine and forfeiture fund to be used for said purpose.

2nd. For the payment of witness certificates issued to witnesses in behalf of the State for attendance at circuit court, Morgan county law and equity court, county court and before the grand juries of said county, and to provide for and regulate the issuing of said witness certificates.

3rd. Said witness certificates to be paid from the funds in the fine and forfeiture fund not used for the payment of outstanding claims provided for above.

4th. Authorize and direct the county treasurer to transfer and appropriate from the general funds of the county a sufficient amount, from time to time, as may be necessary, together with the other funds in the fine and forfeiture fund to pay said witness certificates immediately upon presentation by the witness in person, and to authorize the county treasurer to refund to the general county fund, from the fine and forfeiture fund and the amount so appropriated, if at any time the fine and forfeiture fund should be greater than required to discharge all claims against the same.

5th. For quarterly reports of condition and disposition of said fine and forfeiture fund to the commissioners' court of said county by the county treasurer.

(Signed) Jno. R. Sample.

That said notice was published in said paper in the issues of June 20th, 27th, July 4th, and 11th, 1907.

J. A. West.

Subscribed and sworn to before me this July 12th, 1907.

J. C. Hogan,
Justice of the Peace.

By Mr. Sample, (with notice and proof) :

H. 1171. To provide for and authorize the use of seines during the months of July and August for catching fish in all of the creeks of Morgan county.

Game, Fish and Forestry Preservation.

Notice and Proof. H. 1171.

The State of Alabama, }
Morgan County. }

Before me, J. C. Hogan, a justice of the peace in and for said county in said State, this day personally came J. A. West, known to me to be the editor and manager of the Hartselle Enquirer, a weekly newspaper published in Hartselle, Morgan county, Alabama, who, being by me duly sworn, deposes and says: That he is the editor and manager of the Hartselle Enquirer, a weekly newspaper published in Hartselle, Morgan county, Alabama, and that a notice was published, without cost to the State of Alabama, once a week for four consecutive weeks in said newspaper before the making of this affidavit, which notice was in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that at the adjourned session of the present Legislature of Alabama, which convenes July 9th, 1907, a bill will be introduced so as to provide for and authorize the use of seines in catching fish in all of the creeks of Morgan county during the months of July and August, and prohibit the use of seines for fishing at any other time during the year.

(Signed) Jno. R. Sample.

That said notice was published in said paper in the issues of June 20th, 27th, July 4th and 11th, 1907.

J. A. West.

Subscribed and sworn to before me this the 12th day of July, 1907.

J. C. Hogan,
Justice of the Peace.

By Mr. Pitts, of Perry:

H. 1172. To set aside all moneys arising from the sale of fertilizer tags, sale of licenses, or any other funds collected by the department of agriculture and industries, paid into the State treasury not otherwise appropriated, and six thousand (\$6,000) dollars from any funds in the treasury not otherwise appropriated for the use of the department of agriculture and industries for the purpose of holding farmers' institute, conducting experiments, gathering statistics, paying the salary of State Chemist, printing and distributing bulletins and hand-books and for carrying out any laws now in existence or may hereafter be enacted for the betterment of the agricultural interests.

Appropriations.

By Mr. Pitts, of Perry:

H. 1173. To appropriate the sum of \$537.72 to pay the expenses of the fertilizer and cotton seed oil mill investigating committee and for the disbursement of the same.

Appropriations.

By Mr. Sanders:

H. 1174. To prohibit the running of automobiles or other like devices on the public roads in the State of Alabama.

Public Roads and Highways.

By Mr. Price:

H. 1175. To declare illegal and void all contracts entered into after the passage of this act, wherein the creditor at the time of making the same was in a compact, combination, or agreement with other corporations or persons formed for the purpose of fixing or controlling rates or prices; and to provide a defense to actions brought to enforce contracts.

Judiciary.

By Mr. Moore:

H. 1176. Defining the crime of burglary with explosives and providing the punishment therefor.

Revision of Laws.

By Mr. Seale:

H. 1177. To amend sections 5, 6, 11, 18, 55 1-2 and 86 of an act entitled an act to further regulate elections in the State of Alabama, approved October 9, 1903

Privileges and Elections.

By Mr. Sanford, (with notice and proof):

H. 1178. To establish and regulate the Sylacauga division of the circuit court of Talladega county, confer upon it chancery jurisdiction, define the territorial limits of its jurisdiction, fix the time and place for holding said court, providing for drawing and empaneling juries therein, and describe the liabilities of persons residing within its territorial jurisdiction to jury service, and the rules of procedure in said court.

Judiciary.

Notice is hereby given that at the adjourned session of the Legislature of Alabama to be held on the 9th day of July next there will be introduced a bill to be entitled an act to establish and regulate the Sylacauga division of the circuit court of Talladega county, confer upon it chancery jurisdiction, define the territorial limits of jurisdiction, fix the time and place of holding said court, provide for drawing and empaneling juries therein, and prescribe the liability of persons residing within its territorial jurisdiction to jury service and the rules of procedure in said court. The substance of the proposed law is to provide that terms of the circuit court of Talladega county shall be holden at Sylacauga as well as at Talladega; the court so holden at Sylacauga to be known and called the Sylacauga division of the circuit court of Talladega county, and to have and exercise within the following limits of said county, to-wit: all that part of precinct number nine (9) and of precinct number twelve (12) lying south of a line beginning at the north-east corner of section twenty-two (22) in township twenty (20) of range four (4) running thence west to the north-west corner of section nineteen (19) same township, thence south to the north-east corner of section twenty-five (25) in township twenty

(20), range three (3), thence west to the north-west corner of section twenty-seven (27), in township twenty (20), of range two (2), on the east bank of Coosa river; also all of precincts ten (10), eleven (11) and thirteen (13) of said county as now constituted, all the power and jurisdiction of circuit and chancery courts, when exercising the jurisdiction of a circuit court, said court to have exclusive jurisdiction and when exercising the jurisdiction of a chancery court, said court to have concurrent jurisdiction with other courts of like jurisdiction within said county, of causes of action arising within the territory above named or where the material defendant resides therein and of actions for the recovery of real or personal property or damage thereto situated therein and of appeals from justices of the peace and other officers residing therein and of all criminal offenses committed therein, provided that in civil cases when the defendant resides within said territory and the cause of action arose without the same, or when the defendant resides without said territory and the cause of action arose within the same, or when there are more than one material defendant some of whom reside within and some without said territory, or where the property involved is situated partly within and partly without said territory then said court shall have jurisdiction concurrent with other courts of like jurisdiction in said county and suits may be brought in either of said courts at the option of the plaintiff; and provided further that when on any trial it is shown that suit was not brought in the court having jurisdiction thereof the court shall on motion of either party transfer the case to the court in which the suit should have been originally brought, which last named court shall proceed and try the same as if it had been originally brought there; the regular terms of said court to be held on the first Mondays in January and July of each year and may continue three weeks or until the business of the term is disposed of, special and adjourned terms may be held as now provided by law; the first week of each term to be non-jury and devoted to the settlement of pleadings, the trial of non-jury and chancery cases; the second week to the

trial of civil jury cases, and the third week to the trial of criminal cases with a jury; the judge to have authority to set down any case for trial during any week of the term in order to dispatch the business of the court, and to pass upon and decide either in term time or in vacation any question involved in any pleadings submitted, also any chancery case or motion for a new trial or any case tried without a jury, his decision in such cases when made in writing and entered on the minutes, to have the same force and validity as if the same had been made in term time; the judge to have authority to prescribe the order of business in said court and to adopt rules of practice therein not inconsistent with said act; juries for said court to be drawn from the qualified citizens of said county residing within the territorial limits of the jurisdiction of said court and persons residing within said territory to be exempt from jury service in any other court of like jurisdiction in said county. The commissioners' court of said county directed and required to provide a jury box and jury roll for said court as now provided by law for circuit courts in this State wherein and on which they shall place the names of every persons residing within the territorial jurisdiction of said court qualified to serve as a juror and therefrom they shall provide all juries to serve in said court who shall be drawn, summoned and empaneled as now provided by law in the circuit courts of this State; grand juries to be drawn and summoned for the second week of each term of said court and petit juries for the second and third weeks of said term and for such other weeks thereof as the presiding judge may designate by an order entered upon the minutes of said court; the clerk of the circuit court of said county either in person or by deputy shall keep an office in the place provided for holding said court; such deputy to be employed by the clerk at his own expense and the clerk to be responsible for his official acts; such deputy to have power and authority to do and perform in the name of the clerk all acts and duties, judicial and ministerial, of every kind and description, in reference to causes pending in said court which said clerk could lawfully do and

perform, including generally the power to take and certify affidavits, acknowledgments and other like powers; said clerk or his deputy to keep in said office all the dockets, books, and papers pertaining to all causes pending in said court and perform all the duties in reference thereto and be liable to the same penalties and receive the same fees and compensation prescribed by law for like services by the clerk of the circuit court and register in chancery in the circuit and chancery courts of this State; the sheriff of said county either in person or by deputy to keep an office in the place provided for holding said court, in which he shall keep all dockets, books and papers pertaining to causes pending in said court and perform the same duties and be liable to the same penalties and receive the same compensation and fees therefor as provided for like services in the circuit and chancery courts; the solicitor of the judicial circuit which embraces said court attend the terms of said court and perform therein the duties required by law of solicitors; said court to be held and the offices of the clerk and sheriff and the records, books and papers thereof to be kept at the place provided by law for holding said court in Sylacauga, which shall be under the exclusive control of the court of county commissioners for said county so long as the same is used for holding said court therein. The court of county commissioners of said county to provide all necessary dockets, and other supplies for the use of said court and its officers as provided by law for the other courts and its officers as provided by law for the other courts of said county; in all civil actions the defendant shall demur or plead within thirty days after service is perfected upon him, either by personal service or publication; and the sheriff shall serve instantly all process issued from said court and return the same without delay; all garnishees shall file their answer within thirty days after service of same is made upon them, and all process issued from said court in civil cases shall require the defendant to plead, answer or demur within thirty days after service of the same upon him. All cases brought by appeals or certiorari from justices of the peace or other inferior

courts into said court shall stand for trial when reached on the regular call of the docket at any time after thirty days notice of the taking of said appeals shall have been given to the adverse party and all civil cases shall stand for trial when reached on the regular call of the docket at any times after thirty days from the date of service upon the defendant. In all civil cases the issues and questions of fact shall be tried by the court without the intervention of a jury be demanded by the plaintiff at the commencement of the suit or by the defendant or other person at the time he appears or when the case is brought into said court by appeal by the appellant at the time he takes such appeal or by the opposite party within ten days after he is served with notice of such appeal; such demand for trial by jury to be endorsed in writing in the cause; all criminal cases brought in said court where defendant is charged with a misdeed shall be tried by the court without the intervention of a jury unless the defendant within ten days after his arrest shall demand in writing a trial by jury; all appeals from justices of the peace or other inferior officers within the territorial jurisdiction of said court and all process issued by them returnable to the circuit or city courts of said county shall be returnable into said court and all warrants or writs of arrest issued for criminal offenses committed within said territory of which they have not final jurisdiction shall be made returnable to said court. In all criminal cases where the defendant at the time of his arrest failed or refuses to make bond for his appearance or when he is surrendered by his bondsmen the sheriff or other officers making such arrest or receiving such defendant into his custody shall confine him in the county jail at Talladega, and where such defendant is arrested for an offense committed within the territorial jurisdiction of said courts, he shall return into said court the warrant or other process under which such arrest was made, if said defendant failed or refused to make bond for his appearance to answer such criminal charge within thirty days after his arrest or within thirty days after an order is legally made fixing the amount of bond necessary to secure his

release from custody, the clerk shall forward to the clerk of the city court of Talladega all the papers on file in said court in said cause together with certified transcript of the orders of court made therein, a list of the witnesses, and an itemized statement of the cost in said court, and thereafter said cause shall stand for trial and be tried in the city court of Talladega as if it had been originally brought in said court, provided that if the defendant shall thereafter make bond and thereby secure his release from custody said cause shall on motion of the solicitor or of the defendant be transferred for trial to the Sylacauga division of the circuit court of Talladega county, and be there tried as if the same had never been transferred from said court, and provided further that no such transfer shall be made if in the opinion of the judge of said court the end of justice will thereby be defeated or such order should not be made. In case such order of retransfer is made the clerk of said city court shall forward to the clerk of the Sylacauga division of the circuit court the same papers, etc., as above provided. Jurors and witnesses attending said court shall be entitled to the fees and be paid in the same manner as provided by law to jurors and witnesses in the circuit and city court of Talladega; any civil cause or criminal case where the defendant is out on bond pending in the circuit or city court of said county which arose within the territory jurisdiction of said Sylacauga division or where the defendant resided therein at the time said suit was instituted shall on motion of either party made within sixty days after the approval of this act be transferred to said Sylacauga division and there proceed with as if the same had originally been brought in said court; in the trial of any cause in said court without a jury in addition to the question which may be presented to the supreme court of the State for review either party may by bill of exceptions also present on appeal for review the conclusions and judgments of the court upon the evidence and the supreme court shall review the same without any presumption in favor of the court below on the evidence, and if they find that there is an error, they shall render such judgments the court below should

have rendered or reverse and remand the same for further proceedings as to the supreme court shall seem right; all laws in regard to the circuit and chancery court of this State not in conflict with said act shall apply to and govern in said court, and all laws, general or special, in conflict with said act are thereby repealed.

The State of Alabama, }
Talladega County. }

Before me, F. M. McDonald, a notary public in and for said county, personally appeared W. R. Jordan, known to me to be the editor and owner of the Sylacauga Advance, a newspaper published at Sylacauga in said county, who, being by me duly sworn, deposes and says that the foregoing notice (hereto attached) of a bill to be entitled an act to establish and regulate the Sylacauga division of the circuit court of Talladega county, to confer upon it chancery jurisdiction, define the territorial limits of its jurisdiction, fix the time and place of and for the holding of said court; to provide for drawing and empaneling juries therein and to prescribe the liability of persons residing within its territorial jurisdiction to jury service and the rules of procedure in said court, was published once a week for four consecutive weeks in said newspaper next before the making of this affidavit beginning with its issue of June the 12th, 1907, and on, to-wit: June the 12th, 19th, 26th and July the 3rd, 1907. W. R. Jordan, Editor.

Sworn to and subscribed before me this the 5th day of July, 1907.

F. M. McDonald,
Notary Public.

By Mr. Bulger:

H. 1179. To provide for the celebration of the one-hundredth anniversary of the Battle of Tohopeka or Horse-shoe Bend, in 1814.

Federal Relations.

By Mr. Bulger:

H. 1180. To repeal an act entitled an act to establish an immigration board for the State of Alabama, to de-

fine its duties, to appropriate money to pay the expenses for carrying out its provisions, to provide for the appointment of an immigration commissioner, to define his duties and to fix his compensation, approved March 4th, 1907.

Revision of Laws.

By Mr. Rice:

H. 1181. To amend section four of an act approved October 1st, 1903, entitled an act to provide for an election to levy and collect a special tax for the support of public schools in the various counties of the State of Alabama.

Ways and Means.

By Mr. Foster:

H. 1182. To make an appropriation for clerical assistance and contingent expenses for the board of pardons.

Penitentiary and Criminal Administration.

By Mr. Block, (with notice and proof) :

H. 1183. For the relief of Mrs. Mary Jane Vernon, widow and sister of G. B. Alexander, a confederate pensioner.

Appropriations.

Notice and Proof. H. 1183.

Notice is hereby given that an application will be made to the Legislature to pay me, the undersigned, the pension due G. B. Alexander, a confederate soldier, who died on 17th of May, 1906, in Wilcox county, Alabama.

Mrs. Mary Jane Vernon.

The State of Alabama, }
Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said county, J. R. Foster, who is the publisher of the Wilcox Banner, a newspaper published at Camden, Wilcox county, Alabama, and who deposes and says that the notice hereto attached was published in the Wilcox Banner for four consecutive weeks, as required by law.

J. R. Foster.

Sworn to and subscribed before me this 5th day of
July, 1907. Francis M. Purifoy,
Justice of the Peace.

By Mr. Lancaster, (with notice and proof):

H. 1184. To amend an act entitled an act to prevent
the running at large of stock in certain portions of El-
more county, approved February 18th, 1891.

Revision of Laws.

Notice and Proof. H. 1184.

I, H. H. Golson, publisher and general manager of the
Weekly Herald, a newspaper published in the city of
Wetumpka, county of Elmore and State of Alabama,
hereby certify that the notice attached hereunto was
published in said paper for four consecutive weeks be-
fore the making of this affidavit. H. H. Golson.

Sworn to and subscribed before me this the 3rd day
of July, 1907. H. T. Anderson,

N. P. Ex-off. J. P. Beat 17.

NOTICE

Is hereby given that a bill will be introduced in the
Legislature of Alabama, adjourned or July session,
1907, to amend section of an act entitled an act to pre-
vent the running at large of stock in certain precincts
of Elmore county, approved Feb. 18, 1891, so as to em-
brace within the provisions of said act in addition to the
territory now embraced all of that territory lying north
of the south bank of little Mortor and big Mortor creeks
in beat ten and beat seventeen.

By Mr. Lancaster:

H. 1185. To amend an act entitled an act to author-
ize the court of county commissioners or board of rev-
enue, or court of like jurisdiction, in the several coun-
ties of the State to cause elections to be held in such
counties, or parts thereof, for the establishment of sep-

arate stock districts, the suspension of the same, and to cause elections to be held for the repeal of and regulation of same.

Revision of Laws.

By Mr. Lancaster:

H. 1186. To provide for the publication of State papers, official records and historical materials of the State of Alabama.

Public Printing.

By Mr. Williams:

H. 1187. To repeal an act to better provide for the revenue of the State and the more efficient assessment and collection of taxes and for this purpose to create a commission to be known as the State Tax Commission of Alabama, and to prescribe powers and duties of said commission and its mode of procedure and to abolish the office of State tax commissioner, approved March 7th, 1907.

Ways and Means.

By Mr. Barton, (with notice and proof):

H. 1188. To refund to Chas. Bassett, Gus Bassett, D. J. O'Connell, and T. L. Baker, or their heirs, the sum of three hundred and forty dollars, being purchase money for certain lands heretofore erroneously sold to them by the State of Alabama.

Appropriations.

Notice and Proof. H. 1188.

Notice is hereby given that a bill will be introduced during the session of the Legislature of Alabama, at the session commencing on the 9th day of July, 1907, providing for the relief of Chas. Bassett, Gus Bassett, D. J. O'Connell and T. L. Baker, or their heirs. The relief to be asked for in said bill being to pay or refund to the said Chas. Bassett, Gus Bassett, D. J. O'Connell and T. L. Baker, or their heirs, the purchase money paid by them for certain lands in Winston county, which they bought from the State of Alabama, on September 1st, 1902, said lands having been previously sold to the State

for taxes, and it having been recently ascertained that the said lands did not belong to the State of Alabama, and that said Bassett et al derived no title to the lands at the time of sale to them.

This June 11, 1907.

The State of Alabama, }
Winston County. }

Before me, John S. Curtis, judge of probate in and for said county, personally appeared Geo. W. Adkins, who is known to me to be the editor and publisher of the New Era, a weekly newspaper published in said county, who, being by me duly sworn, deposes and says that the attached notice of a bill for the relief of Chas. Bassett, Gus Bassett, D. J. O'Connell and T. L. Baker, or their heirs, to refund to them the purchase money for certain lands in Winston county, has been published in said newspaper for four consecutive weeks next prior to the time of making this affidavit. This July 8, 1907.

Geo. W. Adkins.

Subscribed and sworn to before me this the 8th day of July, 1907.

John S. Curtis,
Judge of Probate.

By Mr. Haley:

H. 1189. To amend section 8 of an act entitled "An act to further amend the revenue laws of the State of Alabama," approved March 7th, 1907.

Ways and Means.

By Mr. Rainer, (with notice and proof):

H. 1190. To repeal an act approved September the 30th, 1903, entitled an act to provide a better system and more efficient working of the public roads of Bullock county.

Public Roads and Highways.

Notice and Proof. H. 1190.

The State of Alabama, }
 Bullock County. }

Before me, Earnest L. Blue, a notary public in and said State and county, personally appeared Louis S. Frazer, who, being by me first duly sworn, deposes and says that he is the citizen of Union Springs, Alabama; and that the following notice, to-wit:

NOTICE OF LOCAL LEGISLATION.

Notice is hereby given that a bill will be introduced at the adjourned session of the present Legislature of Alabama, which convenes on, to-wit, July the 9th, 1907, for the purpose of repealing an act entitled "An act to provide for a better system, and the more efficient working of the public roads of Bullock county," approved Sept. 30th, 1903.

June 7th, 1907.

Has appeared for the last four consecutive weeks in the Bullock County Breeze, a newspaper published in Bullock county, Alabama. .

Louis S. Frazer.

Sworn to and subscribed before me this 11th day of July, 1907.

Earnest L. Blue,
 Notary Public.

By Mr. Powell, of Bullock, (with notice and proof):

H. 1191. To provide that the sheriff of Bullock county, Alabama, shall receive for empaneling grand juries, advertising and attending all elections in his county, and for all other public service not otherwise provided for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury, not exceeding five hundred (\$500.00) dollars per annum.

Local Legislation.

Notice and Proof. H. 1191.

NOTICE.

Notice is hereby given that at the adjourned session of the present Legislature of Alabama, which convenes on, to-wit, July the 9th, 1907, application will be made to have enacted for Bullock county the following local laws, to-wit:

An act to provide that the sheriff of Bullock county, Alabama, shall receive for "impaneling grand juries, advertising and attending all elections in his county, and for all other public service otherwise provided for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury, not exceeding five hundred (\$500.00) dollars per annum."

Second—An act to allow the sheriff of Bullock county for fees for attendance upon the trial of any habeas corpus case before any judge or court the sum of \$2.00 per day.

An act to provide for the payment by the court of county commissioners out of the county treasury for the removal of persons charged with misdemeanors the same fees, mileage and per diem as are now provided by law for the removal of persons charged with felonies.

June 3, 1907.

j5-3t

The State of Alabama, }
Bullock County. }

Before me, Ernest L. Blue, a notary public for said State and county, personally appeared P. F. Miles, known to me, who, being first duly sworn, deposes and says on oath, that he is the editor of the Union Springs Herald, a newspaper published in Bullock county, Alabama, and that for four consecutive weekly issues of said paper prior to this date, the first issue of which is more than thirty days last past, the above notice duly appeared.

P. F. Miles.

Sworn to and subscribed before me this the 8th day of July, 1907.

Ernest L. Blue,
Notary Public.

By Mr. Fuller:

H. 1192. To repeal an act entitled an act, to establish an immigration board for the State of Alabama, to define its duties, to appropriate money to pay the expenses for carrying out its provisions, to provide for the appointment of an immigration commissioner, to define his duties and to fix his compensation.

Immigration and Labor.

By Mr. Henley:

H. 1193. To authorize the governor, the State auditor, and treasurer to retire Alabama bonds whenever in their judgment the condition of the treasury will permit.

Judiciary.

By Mr. Pitts, of Perry (with notice and proof):

H. 1194. To establish, maintain and regulate a dispensary in the city of Uniontown, Perry county, Alabama, for the sale of spirituous or vinous liquors or malt liquors, wines, ciders or other intoxicating liquors, and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors; to provide for the distribution of the profits from the sale of said liquors in said dispensary between said city and said county, and for other purposes.

Temperance.

Notice and Proof. H. 1194.

The State of Alabama, }
Perry County. }

Before me, J. B. Shivers, probate judge of said county, personally appeared C. H. Greer, who, being first duly sworn, deposeth and saith, that he is publisher of the Marion Standard, a weekly newspaper published in said county; that the following notice, to-wit:

NOTICE.

Application will be made to the Legislature at the adjourned session commencing during the month of July, 1907, to establish, maintain and regulate a dispensary in and for the city of Uniontown, in Perry county, Alabama, for the sale of spirituous, vinous and malt liquors, and to establish a board of directors for the purpose of better controlling and maintaining the sale of said liquors; said city to manage said dispensary through said board of directors; said directors to hold office for one year each, and shall each receive a salary of \$25.00 per annum; said directors shall purchase the liquors sold in said dispensary, shall appoint a manager of the dispensary whose salary shall not exceed \$1,000.00 per annum; said directors shall also elect a secretary and treasurer whose term of office shall be one year, and shall receive a salary of \$50.00 per annum. Said proposed act shall also provide that the city of Uniontown shall turn over to the board of directors created by this act all of the stock of liquors in the present dispensary operated by said city. Said dispensary created herein shall be operated from the funds arising from sale of liquors therein, provided that if necessary to inaugurate said dispensary, said city shall invest not exceeding \$2,000.00 herein. On and after 1 October, 1907, one half of the net proceeds of said dispensary shall be paid to the treasury of the city of Uniontown, and on and after said date one-half of the net proceeds of said dispensary shall be paid to the county treasurer of Perry county, to be used exclusively on the public roads of said county under the direction of court of county commissioners; and to provide further for semi-annual settlements with said county, and to further provide for the examination and auditing of the books of said dispensary by said county commissioners, or its agents.

Dated June 12, 1907.

Has been published for four consecutive weeks in said newspaper, the same having been inserted in said news-

papr on the 14th day of June, 1907, and appearing in each issue of said newspaper to the 4th day of July, 1907.

Chas. H. Greer.

Subscribed and sworn to before me this the 5th day of July, 1907.

J. B. Shivers,

Judge of Probate, Perry Co., Alabama.

By Mr. White, of Lamar, by request, (with notice and proof) :

H. 1195. To amend section 44 of an act entitled "An act relating to the preservation, propagation and protection of game animals, wild birds and fish; establishing the department of game and fish; creating the office of State game and fish commissioner; and for providing for his election and compensation; creating the offices of county game and fish warden and deputy game and fish warden, and providing for their appointment and compensation; creating a game and fish protection fund and appropriating money therefrom," approved February 19th, 1907, so far as the same relates to Lamar county.

Game, Fish and Forestry. Preservation.

Notice and Proof. H. 1195.

NOTICE.

Notice is hereby given that at the adjourned session of the Legislature of Alabama which will reconvene in July, 1907, a bill will be introduced and application made for its passage by said Legislature providing substantially as follows:

A BILL

To be entitled an act to amend section 44 of an act entitled "An act relating to the preservation, propagation and protection of game animals, wild birds and fish; establishing the department of game and fish; creating the office of State game and fish com-

missioner, and providing for his election and compensation; creating the offices of county game and fish warden and deputy game and fish warden, and providing for their appointment and compensation; creating a game and fish protection fund and appropriating money therefrom, approved February 19th, 1907, so far as the same relates to Lamar county.

Be it enacted by the Legislature of Alabama:

Section 1. That section 44 of an act entitled "An act relating to the preservation, propagation and protection of game animals, wild birds and fish, establishing the department of game and fish; creating the office of State game and fish commissioner, and providing for his election and compensation; creating the office of county game and fish warden and deputy game and fish warden and providing for their appointment and compensation; creating a game and fish protection fund, and appropriating money therefrom," approved February 19, 1907, be, and the same is hereby amended so far as it relates to Lamar county so as to read as follows:

Sec. 44. That it is hereby made unlawful for any person to hunt on the lands of another when the owner or agent thereof has posted signs at three conspicuous places thereon with the word "Posted" and the name of such owner or agent plainly printed or written on such signs, unless such person obtains the written permission of the owner or agent of the land to hunt thereon, which permission shall expire at the expiration of twelve months from the date it is given or issued. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than twenty nor more than fifty dollars.

The State of Alabama, }
Lamar County. }

Before me, R. L. Bradley, judge of probate in and for said county, personally appeared C. S. McDougal, who, being first duly sworn, deposes and says that he is editor and publisher of the Lamar Democrat, a newspaper published in said county; and that the foregoing notice of the intention to apply at the adjourned session of the

Legislature of Alabama, convened during the month of July, 1907, for the passage of a bill to be entitled "An act to amend Sec. 44 of an act entitled 'An act relating to the preservation, propagation and protection of game animals, wild birds and fish; establishing the department of game and fish; creating the office of State game and fish commissioner, and providing for his election and compensation; creating the office of county game and fish warden and deputy game and fish warden and providing for their appointment and compensation; creating a game and fish protection fund, and appropriating money therefrom,' approved February 19th, 1907, so far as the same relates to Lamar county," has been published for four consecutive weeks in said paper, to-wit, in the issues of June 19, June 26, July 3, and July 10, 1907.

C. S. McDougal.

Subscribed and sworn to before me this the 10th day of June, 1907.

R. L. Bradley,
Judge of Probate.

By Mr. White, of Perry, (with notice and proof):

H. 1196. To amend section thirteen of an act to establish, maintain and regulate a dispensary in the town of Marion, Perry county, Alabama, for the sale of spirituous, or vinous liquors, malt liquors, wines, ciders, or other intoxicating liquors, and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous, or vinous liquors, malt liquors, wines, ciders, or other intoxicating liquors and for other purposes, approved February 8th, 1901.

Temperance.

Notice and Proof. H. 1196.

The State of Alabama, }
Perry County. }

Before me, J. B. Shivers, judge of probate in and for said county and State, personally appeared C. H. Greer, who, first being duly sworn, doth depose and says as follows: That he is the owner, editor and publisher of

the Marion Standard, a weekly newspaper published in Marion, Perry county; that the attached notice was published in said newspaper four consecutive weeks, beginning on Feby. 21st, 1907.

Chas. H. Greer.

Sworn to and subscribed before me this the 27th, 1907.

J. B. Shivers,

Judge of Probate, Perry Co., Ala.

NOTICE.

The State of Alabama, }
Perry County. }

Application will be made to the Legislature of Alabama at the present session thereof, for the passage of a bill to be entitled "An act to amend section thirteen of 'An act to establish, maintain and regulate a dispensary in the town of Marion, Perry county, Alabama, for the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors, and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors and for other purposes,'" approved February the 28th, 1901, so as to provide that on and after the first day of October, 1907, one-half of the net proceeds arising from the sales in said dispensary shall be paid to the county treasurer of Perry county, Alabama, for the use of Perry county, to be set apart exclusively for working and repairing the public roads of Perry county, Alabama; that the other one-half of the net proceeds of said dispensary shall be paid to the mayor and council of the town of Marion, and to provide for semi-annual settlements with the board of directors, and to empower and authorize the court of county commissioners of Perry county, Alabama, to examine and audit the accounts of said dispensary.

George P. White.

By Mr. Pitts, of Perry, (with notice and proof):

H. 1197. To provide for an election in Perry county, Alabama, to determine whether spirituous, vinous and

malt liquors shall be sold in said county after October 15th, 1907; to provide for holding said election, and for other purposes.

Temperance.

Notice and Proof. H. 1197.

The State of Alabama, }
Perry County. }

Before me, J. B. Shivers, judge of probate in and for said county and State, personally appeared C. H. Greer, who, first being duly sworn, doth depose and say as follows, to-wit: That he is the owner, editor and publisher of the Marion Standard, a weekly newspaper published in Marion, Perry county; that the attached notice was published in said newspaper four consecutive weeks, beginning on March 6th, 1907.

Chas. H. Greer.

Sworn to and subscribed before me this the 27th day of June, 1907.

J. B. Shivers,

Judge of Probate, Perry County, Ala.

LEGAL NOTICE.

Application will be made to the Legislature in July, 1907, for the passage of a law ordering an election in Perry county, Alabama, to determine whether or not spirituous, vinous or malt liquors shall be sold in said county after October 15, 1907.

T. H. Long,
J. J. Brown.

3-6-4

By Mr. Carmichael, of Colbert:

H. 1198. To amend sections 17 and 18 of an act to authorize cities, towns and other municipal corporations to make certain improvements on the side-walks, streets, avenues, alleys, highways or other public places of such city, town, or other municipal corporation; to construct sewers, to assess the costs of such improvements, or any part thereof, upon the property abutting such street, avenue, alley, highway, or other public place or drained by such sewers, or against the right of

way of any railroad so improved or drained by such sewers; to make such assessments a lien on such property and to regulate appeals from such assessments; to provide methods for the enforcement of such lien, and the payment of such assessments and penalties; and to authorize the issue of bonds to pay for such improvements, approved March 5, 1907.

Municipal Organization.

By Mr. McDuffie:

H. 1199. To declare the charters of all incorporated cities and towns which have not exercised the functions or discharged the duties of municipal corporation for last past twenty years forfeited and vesting the title to all streets, alleys, public grounds and other lands in such city or town in the adjacent and abutting owner or owners.

Municipal Organization.

By Mr. Coleman, of Marshall:

H. 1200. To provide for the establishment of a bureau to collect, compile, and publish cotton statistics and to prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof; to require ginners and others to make reports thereto; and to provide penalties for the violations of the provisions of this act, approved March 5th, 1907.

Agriculture.

By Mr. Cranford, (with notice and proof):

H. 1201. To regulate and prescribe the manner of electing county commissioners in the county of Walker, fix their compensation and to provide for holding regular, special and adjourned terms of the court of county commissioners.

Local Legislation.

Notice and Proof. H. 1201.

NOTICE.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama to enact a law in substance as follows:

A BILL

To be entitled an act to regulate and prescribe the manner of electing county commissioners in the county of Walker, fix their compensation and provide for holding regular, special and adjourned terms of the court of county commissioners.

Be it enacted by the Legislature of Alabama:

Section 1. That at the general election to be held on Tuesday after the first Monday in November, 1908, there shall be elected one commissioner in each commissioners' district in the county of Walker, the commissioners elected at that time in the uneven numbered districts shall hold office for the term of two years and until their successors are elected and qualified; and the commissioners elected at that time in the even numbered districts shall hold office for the term of four years and until their successors are elected and qualified.

Sec. 2. That after said election held under this act elections for county commissioners for said county shall be held bi-annually, on Tuesday after the first Monday in November, and their term of office shall be four years and until their successors are elected and qualified.

Sec. 3. That every qualified voter in said county shall be entitled to vote for one commissioner in each of the districts in which there is to be a commissioner elected at such election.

Sec. 4. That said commissioners' court shall hold regular terms on the first Monday in each month, and such adjourned and special terms as may be necessary; and such terms, regular, adourned and special, may continue until the business of the court has been completed.

Sec. 5. That the commissioners elected under this act are entitled to four dollars (\$4.00) per day for each day of actual service rendered, and five cents per mile for traveling to and from the sittings of the court.

Sec. 6. That the provisions of this act as to the compensation to be paid the commissioners shall not become effective until the successors of the commissioners now in office are elected and qualified.

Sec. 7. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed. 1-23-4t

The State of Alabama, }
Walker County. }

Before me, John B. Shields, a notary public in and for said State and county, this day personally appeared J. R. Gunter, who, being by me duly sworn, deposes and says that he is the editor of The Mountain Eagle, a newspaper published in Walker county, Alabama, and that the foregoing notice was prior to this date and without cost to the State of Alabama, published at length once a week for four consecutive weeks, beginning on the—day of———, 1907, in the said Mountain Eagle, a newspaper which is and was at the time of the publication of said notice published in the county of Walker and State of Alabama.

J. R. Gunter.

Subscribed and sworn to before me this 11th day of July, 1907.

John B. Shields,
Notary Public.

By Mr. Rushton, (with notice and proof) :

H. 1202. To refund money to E. F. Bedsole, as the surviving partner of the late firm of D. W. Bradley & Company of Crenshaw county.

Appropriations.

Notice and Proof. H. 1202.

NOTICE.

Notice is hereby given that at the meeting of the General Assembly in July a bill will be introduced for the relief of E. F. Bedsole as the surviving partner of the late firm of D. W. Bradley & Co., for the return of a certain sum of money illegally paid to the State of Alabama while in business as retail liquor dealers in beat one, Crenshaw county, during the year 1891.

The State of Alabama, }
 Montgomery County. }

Before me, S. Jerome Sloan, a notary public in and for said county in said State, personally came Ben de Lemos, who, being by me duly sworn on oath, says that he is editor and publisher of the "Alabama Outlook," a newspaper published in said county; that the foregoing notice has been published at least once a week for four consecutive weeks in said newspaper; that such publication was completed Saturday, May 18th, 1907.

Ben de Lemos.

Sworn to and subscribed before me on this 9th day of July, 1907.

S. Jerome Sloan,

Notary Public, Montgomery County, Ala.

By Mr. Haley:

H. 1203. To regulate civil actions for libel against the publisher or publishers of newspapers, magazines and periodicals in the State of Alabama.

Judiciary.

By Mr. Haley:

H. 1204. To regulate actions for libel in the State of Alabama.

Judiciary.

By Mr. Haley:

H. 1205. To amend section 3915 of the Code as amended by an act entitled an act to better provide for the revenue of the State, approved March 4, 1903.

Ways and Means.

By Mr. John:

H. 1206. To make an enumeration, or census, of the confederate soldiers residing in the State of Alabama, and to provide for the payment therefor.

Appropriations.

By Mr. Gunter:

H. 1207. To allow judges to require witnesses in criminal cases to enter into bond for their appearance on the trial of such cases.

Judiciary.

By Mr. Power :

H. 1208. To amend sections 1, 2, 4, 6, 8, 9, 13, 14 and 15 of an act entitled an act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphates, fertilizer materials and chemicals in the State of Alabama, approved March 3, 1903.
Agriculture.

By Mr. John :

H. 1209. To give to certified transcripts of validly executed instruments not properly acknowledged or proved, but that have been of record for twenty years, the same force and effect as transcripts of like instruments duly acknowledged and recorded.

Judiciary.

By Mr. Mitchell, (with notice and proof) :

H. 1210. To repeal Sec. 1 of an act to increase the criminal jurisdiction of justices of the peace in the counties of Limestone, Marion, Greene and Marshall, approved February 12, 1879, so far as Marion county is concerned; and to provide that justices of the peace and notaries public and ex-officio justices of the peace of Marion county shall have and exercise the jurisdiction given by the Code and general laws of the State.

Judiciary.

Notice and Proof. H. 1210.

NOTICE OF LOCAL LAW.

I shall introduce and pass at the present session of the Legislature a law repealing section 1 of an act to increase the criminal jurisdiction of justices of the peace in the counties of Limestone, Marion, Green and Marshall, approved February 12, 1879, so far as Marion county is concerned; and to provide that justices of the peace and notaries public, ex-officio justice of the peace of this county shall have and exercise the jurisdiction given by the Code and general laws of the State. This June 8, 1907.

C. E. Mitchell.

The State of Alabama, }
 Marion County. }

Before me, Mack Pearce, judge of probate in and for said State and county, this day personally appeared G. J. Wilson, who is personally known to me to be the editor and publisher of the Marion County News, who, being by me first duly and legally sworn, deposes and says that he is the editor and publisher of the Marion County News, and that said Marion County News is a weekly newspaper published in the town of Hamilton, in said State and county; and affiant further states that a certain advertisement, a true and correct copy of which is hereunto attached, was published in said newspaper for four consecutive weeks prior to the 11th day of July, 1907; and affiant further states that said publication was made without cost to the State.

G. J. Wilson,
 Editor Marion County News.

Sworn to and subscribed before me this 11th day of July, A. D., 1907.

Mack Pearce,
 Judge of Probate.

By Mr. Fuller:

H. 1211. To amend an act entitled an act to further amend the revenue laws of the State of Alabama.

Ways and Means.

By Mr. Lyons:

H. 1212. To extend the term of tax collectors, tax assessors and coroners and county treasurers.

Privileges and Elections.

By Mr. White, of Lamar, (with notice and proof):

H. 1213. To amend section five of an act approved February 22nd, 1907, entitled "An act to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, malt liquors, intoxicating beverages, bitters or proprietary medicines in Lamar county, Alabama, and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous

or malt liquors, intoxicating beverages or intoxicating bitters, or intoxicating proprietary medicines from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, or intoxicating proprietary medicines, in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, or intoxicating bitters, or intoxicating proprietary medicines by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telephone or telegraph company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters or intoxicating proprietary medicines to any point within this State, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict herewith.

Temperance.

Notice and Proof. H. 1213.

NOTICE OF PROPOSED LEGISLATION.

Notice is hereby given that there will be introduced and offered for passage at the present session of the Legislature, which will reconvene on July 9th, 1907, an amendment to the local prohibition law passed by the Legislature at its present session and applicable to Lamar county, as follows:

The section of said act which reads as follows: "Be it further enacted that any person violating any provisions of this act shall be deemed guilty of a misdemeanor, and upon a conviction thereof, shall be imprisoned in the county jail, or sentenced to hard labor for the county for not less than three months, nor more than twelve months, and shall pay a fine of not less than fifty, nor more than five hundred dollars," be amended so as to read as follows: "Be it further enacted, that any

person who shall, in violation of this act, sell, barter or exchange any spirituous, vinous, or malt liquors or intoxicating beverages shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be imprisoned in the county jail, or sentenced to hard labor for the county for not less than three months nor more than twelve months, and shall also pay a fine of not less than fifty nor more than five hundred dollars, and that any person violating any of the other provisions of the same shall be deemed guilty of a misdemeanor and upon conviction, shall pay a fine of not less than fifty nor more than five hundred dollars, and may also be sentenced at hard labor for not less than two months, nor more than twelve months.

The State of Alabama, }
Lamar County. }

Before me, R. L. Bradley, judge of the probate court in and for said county, personally appeared C. S. McDougal, who, being duly sworn, deposes and says that he is the editor and proprietor of the Lamar Democrat, a newspaper published in Lamar county, Alabama, and that said notice was duly published for four consecutive weeks in the Lamar Democrat prior to the date of making this affidavit.

C. S. McDougal.

Subscribed and sworn to before me this the 9th day of July, 1907.

R. L. Bradley,
Probate Judge.

By Mr. Oliver, (with notice and proof) :

H. 1214. For the relief of Mrs. M. A. Jones, widow of an ex-confederate soldier.

Appropriations.

Notice and Proof. H. 1214.

NOTICE OF SPECIAL LAW.

Notice is hereby given that a bill will be introduced at the adjourned session of the present Legislature of the State of Alabama, when it convenes in July, to author-

ize the State auditor to draw a warrant on the treasury of Alabama for thirty dollars, for the relief of Mrs. M. A. Jones, widow of an ex-confederate soldier, for the year 1906, who was on the pension rolls prior to 1906, and whose name was dropped from pension rolls through mistake. And to further authorize the probate judge of Chambers county, and other pension officers of the State to restore the name of said pensioner, Mrs. M. A. Jones, to the pension rolls.

June 17th, 1907.

J. A. Hines.

38.4w.

The State of Alabama, }
Chambers County. }

Before me, A. J. Driver, Jr., judge of probate in and for said county and State, personally appeared S. H. Oliver, owner and publisher of the LaFayette Sun, a newspaper published in said county, who, being by me first duly sworn, says on oath that the notice hereto attached, the above being a true copy of same, relating to a special act for the relief of Mrs. M. A. Jones, widow of an ex-confederate soldier, made its first appearance in my newspaper June 19th, 1907, and ran for four consecutive weeks therein, making its last appearance July the 10th, 1907, and without cost to the State.

Sam H. Oliver.

Sworn to and subscribed to before me this 10 day of July, 1907.

A. J. Driver, Jr.,
Judge of Probate.

By Mr. Oliver, (with notice and proof):

H. 1215. For the relief of J. W. T. Abernathy, an ex-confederate soldier of Chambers county.

Appropriations.

Notice and Proof. H. 1215.

NOTICE OF SPECIAL LAW.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, when it meets in July,

1907, requiring the probate judge of Chambers county to place or cause to be placed the name of J. W. T. Abernathy on the pension list of the ex-confederate soldiers of the county, and to be continued on the list of pensioners from year to year in class No. 3.

May 20th, 1907.

34-4w

The State of Alabama, }
Chambers County. }

S. H. Oliver, being duly sworn, deposes and says that he is the proprietor and publisher of the LaFayette Sun, a weekly newspaper published at LaFayette, in Chambers county, Alabama, and that the foregoing notice of a special law relating to a pension for J. W. T. Abernathy, has been published in the LaFayette Sun for four consecutive weeks, beginning with the issue of said paper for May 20, 1907.

S. H. Oliver.

The State of Alabama, }
Chambers County. }

Before me, E. M. Oliver, a notary public in and for said county in said State, personally appeared S. H. Oliver, known to me, who being duly sworn, deposes and says that the facts stated in the foregoing affidavit are true.

E. M. Oliver,
Notary Public.

By Mr. John :

H. 1216. To adjust and settle certain claims against the State of Alabama.

Judiciary.

By Mr. Haley, (with notice and proof) :

H. 1217. To amend section three of an act entitled "An act to authorize solicitor of Jefferson county to employ a stenographer and define his duties," approved December 10, 1900.

Local Legislation.

Notice and Proof. H. 1217.

The State of Alabama, }
 Jefferson County. }

Before me, Jack T. Stallings, a notary public, personally appeared E. W. Jones, who, being duly sworn, deposes and says that he is publisher and editor of the Jones Valley Times, a weekly newspaper published in said county, and that the publication of a certain bill, of which the bill attached is a true copy, has been made in said paper for four consecutive weeks, to-wit: on the 13th, 20th and 27th days of June, 1907, and the 4th day of July, 1907.

E. W. Jones.

Sworn to and subscribed before me this 12th day of July, 1907.

Jack T. Stallings.

Notary Public.

Notice is hereby given that application will be made to the Legislature of Alabama, at the adjourned session thereof, to pass an act the substance of which is as follows:

A BILL

To be entitled an act to amend section three of an act entitled "An act to authorize the solicitor of Jefferson county to employ a stenographer and define his duties," approved December 10, 1900.

Section 1. Be it enacted by the Legislature of Alabama, That section 3 of an act entitled "An act to authorize the solicitor of Jefferson county to employ a stenographer and define his duties," be amended to read as follows: "Section 3. That the compensation of the said stenographer shall be fixed within reasonable bounds by said solicitor, and shall be paid out of the solicitor's fund arising from convictions in said court, not to exceed one hundred and fifty dollars per month, if employed by the month, and not to exceed eighteen hundred dollars per annum, if employed by the job."

By Mr. Haley, (with notice and proof) :

H. 1218. To fix the time for the election of the solicitor of Jefferson county.

Local Legislation.

Notice and Proof. H. 1218.

Notice is hereby given that application will be made to the Legislature of Alabama, at the adjourned session thereof, to pass an act the substance of which is as follows:

A BILL

To be entitled an act to fix the time for the election of the solicitor of Jefferson county.

Section 1. Be it enacted by the Legislature of Alabama, That the solicitor of Jefferson county shall be elected at the general election held in the year 1910, and every four years thereafter, and shall hold office until his successor is elected and qualified.

The State of Alabama, }
Jefferson County. }

Before me, Jack T. Stallings, a notary public, personally appeared E. W. Jones, who, being duly sworn, deposes and says that he is publisher and editor of the Jones Valley Times, a weekly newspaper published in said county, and that the publication of a certain bill, of which the bill attached is a true copy, has been made in said paper for four consecutive weeks, to-wit: on the 13th, 20th, and 27th days of June, 1907, and the 4th day of July, 1907.

E. W. Jones.

Sworn to and subscribed before me this 12th day of July, 1907.

Jack T. Stallings,
Notary Public.

By Mr. Haley, (with notice and proof) :

H. 1219. To increase the salary of the solicitor of Jefferson county to the sum of four thousand, five hun-

dred dollars per annum, and provide for the payment of said salary.

Local Legislation.

Notice and Proof. H. 1219.

Notice is hereby given that application will be made to the Legislature of Alabama at the adjourned session to pass an act, the substance of which is as follows:

A bill to be entitled an act to increase the salary of the solicitor for Jefferson county to a sum not to exceed four thousand, five hundred dollars per annum, to be paid as now provided by law, provided, however, the provision of this act shall not apply to the term of the present solicitor of Jefferson county.

The State of Alabama, }
Jefferson County. }

Before me, Jack T. Stallings, a notary public, personally appeared E. W. Jones, who, being duly sworn, deposes and says that he is publisher and editor of the Jones Valley Times, a weekly newspaper published in said county, and that the publication of a certain notice, of which the notice attached is a true copy, has been made in said paper for four consecutive weeks, to-wit: on the 13th, 20th and 27th of June, 1907, and the 4th day of July, 1907.

E. W. Jones.

Sworn to and subscribed before me this 12th day of July, 1907.

Jack T. Stallings,
Notary Public.

By Mr. Lancaster:

H. 1220. To amend sections two (2) and three (3) of an act entitled "An act to amend sections 897, and 911 of chapter 19, article 1 of the Code of Alabama.

Revision of Laws.

By Mr. Kirby, (with notice and proof):

H. 1221. To prohibit the running or operating of billiard or pool tables for the use of which money or other

thing of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

Temperance.

Notice and Proof. H. 1221.

The State of Alabama, }
Madison County. }

Before me, W. F. Esslinger, a notary public in and for said State and county, this day personally appears R. L. O'Neal, who, being duly sworn, says that the following notice of intention to apply for local law, to-wit:

NOTICE

Is hereby given that substantially the following bill will be introduced at the July term of the Legislature, 1907:

AN ACT

To prohibit the running or operating of billiard or pool tables, for the use of which money or other thing of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

Be it enacted by the Legislature of Alabama:

1. It shall be unlawful to run or operate any billiard or pool table, for the use of which money or other thing of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

2. Any person violating the provisions hereof is guilty of a misdemeanor, and upon conviction, shall be fined not less than twenty-five dollars nor more than two hundred dollars, or may be sentenced to hard labor for the county for not more than six months.

3. All laws and parts of laws in conflict herewith are repealed.

6-2-4t

Was published once a week for four consecutive weeks upon the following dates, to-wit: June 2, 9, 16th and 23rd, 1907, in the said Mercury, a newspaper published in said county of Madison, and that affiant is the editor and publisher of said newspaper. R. L. O'Neal.

Sworn to and subscribed before me on this the 11th day of January, 1907.

W. F. Esslinger,
Notary Public.

By Mr. Kirby, (with notice and proof):

H. 1222. To create a police commission for the city of Huntsville, and to define its jurisdiction and powers.
Municipal Organization.

Notice and Proof. H. 1222.

The State of Alabama, }
Madison County. }

Before me, W. F. Esslinger, a notary public in and for said State and county, this day personally appears R. L. O'Neal, who, being duly sworn, says that the following notice of intention to apply for local law, to-wit:

NOTICE.

Is hereby given that substantially the following bill will be introduced at the July term of the Legislature:

A BILL

To be entitled an act to create a police commission for the city of Huntsville and to define its jurisdiction and powers.

Section 1. Be it enacted by the Legislature of Alabama, That there is hereby created a commission to be known as the police commission of the city of Huntsville, which shall be composed of five members, to be appointed by the governor, and who shall hold office for the term of four years and until their successors are appointed and qualified.

2. The members of said commission shall be appointed without reference to politics, and shall be citizens of the city of Huntsville, intelligent, and of good moral character, and shall take and file with the city clerk an oath to discharge the duties of their office without fear, favor or partiality and to the best of their ability. They shall be paid the salary of six dollars per month, each, by the mayor and aldermen of the city of Huntsville.

3. Said commission shall have entire and full charge, supervision and control of the marshal and police force of the city of Huntsville, with full power to select, suspend or discharge the marshal of policemen and to prescribe their qualifications (provided that said marshal and policemen shall be men of intelligence, of good habits and of good moral character), and to adopt such rules and regulations to these ends as they may think proper. The said commission shall meet at such times and places as they may fix or establish, but at least once a month, for the purpose of hearing and passing upon charges or complaints against members of the police force or for other purpose relating to the betterment and more efficient service of the police force of said city. At such meetings three members shall constitute a quorum for the transaction of business, one of whom shall be elected chairman of the meeting. The city clerk shall attend such meetings and shall be ex-officio secretary of said commission, and shall make and keep in his office minutes and a record of the rules, meetings and proceedings of said commission.

4. All laws and parts of laws in conflict with the provisions of this act are hereby repealed. d1t-w4t

Was published once a week for four consecutive weeks upon the following dates, to-wit: May 30th and June 6, 13 and 20th, 1907, in the Daily Mercury, a newspaper published in said county of Madison, and that affiant is the editor and publisher of said paper.

R. L. O'Neal.

Sworn to and subscribed before me on this the 11th day of July, 1907.

W. F. Esslinger,
Notary Public.

By Mr. Kirby, (with notice and proof) :

H. 1223. To require the five thousand dollars required by section 25 of an act entitled "An act to establish, maintain, regulate and make efficient a dispensary for Madison county, Alabama, located in the city of Huntsville, approved the 7th day of February, 1907," to be paid over to the county superintendent of education of Madison county for the support of the public schools of the county, to be applied exclusively to the public schools of the county of Madison outside the city of Huntsville.

Temperance.

Notice and Proof. H. 1223.

The State of Alabama, }
Madison County. }

Before me, W. F. Esslinger, a notary public in and for said State and county, this day personally appears R. L. O'Neal, who, being duly sworn, says that the following notice of intention to apply for local law, to-wit:

A BILL

To be entitled an act to require the five thousand dollars required by section 25 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, Alabama, located in the city of Huntsville, approved the 7th day of February, 1907, to be paid over to the county superintendent of education of Madison county for the support of the public schools of the county, to be applied exclusively to the public schools of the county of Madison outside the city of Huntsville.

Be it enacted by the Legislature of Alabama:

1. That the five thousand dollars required by section 25 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, Alabama, located in the city of Huntsville, approved the 7th day of February, 1907, to be paid over to the county superintendent of education of Madison county for the

support of the public schools of the county, shall be applied exclusively to the public schools of the county of Madison outside the city of Huntsville.

2. All laws and parts of laws in conflict with the provisions hereof are repealed.

3. This act shall take effect immediately upon its passage.

Was published once a week for four consecutive weeks upon the following dates, to-wit: June 12th, 19th and 26th and July 3rd, 1907, in the Weekly Mercury, a newspaper published in said county of Madison, and that affiant is the editor and publisher of said newspaper.
R. L. O'Neal.

Sworn to and subscribed before me on this the 11th day of July, 1907.

W. F. Esslinger,
Notary Public.

By Mr. Seale:

H. 1224. To fix the time for the holding of the examinations for teachers in the public schools of the State of Alabama.

Education.

By Mr. Cranford:

H. 1225. To prevent the burning of forests and woods and to punish the violation thereof.

Game, Fish and Forestry Preservation.

By Mr. Oliver:

H. 1226. To amend an act entitled an act to amend section 2937 of the Code of Alabama, approved Feb. 11th, 1901.

Municipal Organization.

By Mr. Oliver, (with notice and proof):

H. 1227. For the relief of T. H. Dunn, J. H. Pinckard and Wylie Hill, ex-confederate soldiers of Chambers county.

Appropriations.

Notice and Proof. H. 1227.

NOTICE OF SPECIAL LAW.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, when it meets in July, 1907, requiring the probate judge of Chambers county to place or cause to be placed the names of T. H. Dunn, J. H. Pinckard and Wiley Hill on the pension list of the ex-confederate soldiers of the county, and to be continued on the list of pensioners from year to year in class No. 4.

May 13th, 1907.

33-4w

The State of Alabama, }
Chambers County. }

S. H. Oliver, being duly sworn, deposes and says that he is the proprietor and publisher of the LaFayette Sun, a weekly newspaper published at LaFayette, in Chambers county, Alabama, and that the foregoing notice of a special law relating to pensions for T. H. Dunn, J. H. Pinckard, and Wiley Hill, has been published in the LaFayette Sun for four consecutive weeks, beginning with the issue of said paper for May 13th, 1907.

S. H. Oliver.

The State of Alabama, }
Chambers County. }

Before me, E. M. Oliver, a notary public in and for said county in said State, personally appeared S. H. Oliver, known to me, who, being duly sworn, deposes and says that the facts stated in the foregoing affidavit are true.

Given under my hand this the 6th day of July, 1907.

E. M. Oliver,
Notary Public.

BILLS ON SECOND READING.

Mr. Haley, chairman of the standing committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 883. To authorize the board of county commissioners of Tuscaloosa county to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, and to pay from the general fund of the county such sum or sums of money as said board may deem necessary or proper for such purpose.

H. 884. To authorize the board of mayor and aldermen of the city of Tuscaloosa to maintain or to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, for the benefit of the public, and to prescribe rules for the government of same, and to pay out of the general fund of the city such sums of money as the said city board deems necessary for the maintenance, or part maintenance of said wagon yard or lot.

H. 988. To fix the time and place where the tax assessor of Morgan county, Alabama, shall keep his office, and prescribing the number of rounds to be made by him in the county each year, for the purpose of assessing taxes and allowing him to fix the number of days to remain in the several precincts for the purpose of assessing tax during the months of October and November of each year, and requiring him to be at the court house of the county during the month of December in each year for the purpose of assessing the taxes of the county.

H. 990. To require the tax assessor and tax collector of Morgan county, Alabama, to make their rounds as required by law together, and providing notice of said round.

H. 892. To further regulate the working of the public roads of Bibb county, Alabama.

H. 889. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

H. 891. To provide for the election of the county commissioners of Bibb county, Alabama, and to prescribe their terms of office.

H. 989. To fix the time and place where the tax collector of Morgan county, Alabama, shall keep his office, and prescribing the number of rounds to be made by him in the county each year for the purpose of collecting taxes, and allowing him to fix the number of days

to remain in the several precincts, for the purpose of collecting taxes during the months of October and November in each year, and requiring him to be at the court house of the county during the month of December in each year, for the purpose of collecting the taxes of the county.

H. 901. To authorize the court of county commissioners of Clay county, Alabama, to pay, annually, on claims for public roads and bridges, an amount, out of the general fund of said county, not to exceed one-fifth of said general fund, levied and collected in any one year.

H. 946. To fix the compensation to be allowed the sheriff and clerk of the circuit court of Conecuh county, Alabama, for all official duties for the compensation of which no express provision is made by law.

H. 947. To regulate the fees of the sheriff for services in the county court of Conecuh county, Alabama.

H. 948. To provide for the payment of State witnesses in criminal cases in Conecuh county, Alabama.

H. 951. To vacate and annul Fifth street between Second and Third avenues; Sixth street between Second and Third avenues; Third avenue between Fourth and Sixth streets; the alley extending north and south in block eleven, and the alley running east and west in block eleven, in the Pratt Land and Improvement Company's survey of East Thomas, Jefferson county, Alabama.

H. 950. To vacate and annul Stollenwork avenue as shown on map of Village Creek Land Company's survey in Jefferson county, Alabama, as a public street or highway, and to annul and extinguish the dedication thereof.

H. 921. To regulate the fine and forfeiture fund of Escambia county and to better provide for the payment of State witnesses and officers' fees in said county.

H. 925. To provide for the working of the public roads of Hale county, Alabama, for levying a tax for same and how same shall be expended.

H. 924. To divide the county of Hale into four com-

missioners' districts and to provide for the election of a commissioner for each district.

H. 932. To vacate and annul as a public street or highway that part of Seventh or Twenty-third street in the town of North Birmingham, Alabama, which lies northwestwardly of the northern line of avenue A or Thirty-sixth avenue and southwestwardly of the southern line of avenue B or Thirty-seventh avenue, and to extinguish and annul the dedication thereof.

H. 933. To vacate and annul as public streets or highways that portion of First street in the town of North Birmingham, Alabama, beginning fifty feet south of Seventh alley, and running thence south to the Southern Railway right-of-way, and that portion of Second street in the town of North Birmingham, Alabama, running from the south line of Seventh alley, south to the north line of Eighth alley, both according to the map of the North Birmingham Land Company; and to annul and extinguish the dedication thereof.

H. 968. To amend section one of an act, approved December 7th, 1896, entitled an act to amend section 1 of an act entitled an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river, and the tributaries of those streams in Mobile county, approved February 18th, 1895.

H. 1000. To repeal an act entitled, "An act to regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama, approved February 15th, 1897.

H. 937. To amend section two (2) of an act entitled "An act to amend an act entitled an act to create the office of revenue constable for Mobile county, and to prescribe his duties, approved Feb. 24th, 1887."

H. 1063. To amend section 11 of an act "To regulate the trials of misdemeanors in Sumter county," approved December 8th, 1882.

H. 1081. To authorize and empower the commissioners' court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across the Tallapoosa river, at Tallassee, Alabama, for the use of said bridge by passengers and for vehicles, and for

traffic, and for whatsoever may pass over the same, and to provide for the enforcement of such rates of toll, and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

H. 1049. To provide for the holding of two terms each year, of the circuit court of the Ninth judicial circuit at Abbeville, in Marshall county and to regulate the same.

H. 1068. To create and establish the office of jury commissioner for Jefferson county, Alabama, to provide for his appointment and removal and to prescribe his qualifications, term of office; to define his powers and authority; to fix his salary and to provide for its payment; and to provide for clerks and assistants for said commissioner and to fix their salary.

H. 1038. To authorize the court of county commissioners of Wilcox county to purchase or acquire three or more ferries along the Alabama river in said county; to operate and maintain same for the public use.

H. 862. To provide for the payment of jurors of Clarke county, Alabama.

H. 1079. To impose a tax of one dollar a year on each dog in the county of Montgomery, State of Alabama, over four months of age, and to provide for the collection of such tax and to provide that all live stock killed or injured and all damages done thereto shall be paid for out of the dog tax fund, and to provide that the surplus left in the dog tax fund on the first day of March of each year shall be paid into the public school funds of said county.

H. 1039. To authorize the court of county commissioners of Wilcox county to borrow money, not exceeding one-half of the county revenue of said county per annum.

H. 1040. For the relief of T. P. Southerland, treasurer of Winston county.

H. 952. To alter and rearrange the boundary lines and corporate limits of the town of Elyton, Jefferson county, Alabama.

S. 72. To appropriate all moneys received by the city of Attalla, in this State, as saloon license, to school purposes and to the payment of the interest on the bonded debt of the said city.

H. 870. To repeal an act entitled "An act to establish the county court of Coffee county with criminal jurisdiction in misdemeanor cases," approved February 8th, 1901, and all subsequent and amendatory acts relating to said court, and to transfer all the civil and criminal proceedings therein pending, together with all the dockets, papers and books relating to said cases in said county court of Coffee to the circuit court of Coffee county, Alabama.

H. 1064. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plans and survey of Smithfield by Dr. Jos. R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Sally avenue. All of Joseph street lying between Valley Creek canal and Irene avenue. All that part of Mortimer street lying between Valley Creek canal and Agnes avenue. All of Agnes avenue lying between Valley Creek canal and Mortimer street.

H. 1065. To vacate and annul the dedication of the following highways, situated in Birmingham, Jefferson county, Alabama, to-wit: All of Morris street from its beginning at 8th street to its end abutting the property heretofore known as the Owen property. All of Eighth street from First avenue, north, to the right of way of the Alabama Great Southern Railroad Company. All of Minnie street from First avenue, north, to the end thereof, abutting the property of the Tennessee Coal, Iron and Railroad Company.

H. 1066. To vacate and annul the dedication of the following highways and parts of highways situated in Jefferson county, Alabama, to-wit: All of Sadler avenue; the south half of Lucian avenue from center of Emma street to center of Telula street; all of Lucian avenue from center of Telula street to eastern boundary of Ella street; all of Ella street lying south of a con-

tinuation of the south line of the alley running easterly and westerly through block 25 and north of center of Valley Creek canal; all of Telula street lying south of center of Lucian avenue and north of center of Valley Creek canal; the east half of Telula street lying between a continuation of the south line of the alley running easterly and westerly through block twenty-five and center of Lucian avenue; all of Emma street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-eight and north of the center of Valley Creek canal; the east half of Emma street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all the alleys in or through blocks twenty-nine, thirty, and thirty-one; all being located according to the survey, map and plans of Owenton, a map of which is recorded in map book two at page twenty-six, in the office of the probate judge of Jefferson county, Alabama.

H. 896. To repeal an act entitled "An act to authorize the commissioners court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large."

H. 1067. To vacate and annual the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All that part of the alleys lying and running through blocks 83, 122, 126 and 168, lying within one hundred feet of the Fourteenth street and the continuation thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land and Improvement Company, and situated in Bessemer, Jefferson county, Alabama. Also all that part of the alley in block B of Hall's addition to Bessemer, map of the plan and survey of which is recorded in the office of the judge of probate of Jefferson county, Alabama, in map book three at page twenty-three, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama; also all that

part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama; also all that part of Seventeenth street lying between First avenue and Alabama avenue in the city of Bessemer, Jefferson county, Alabama; and also all the alleys lying within and running through blocks two hundred and one and two hundred and two in the city of Bessemer, Jefferson county, Alabama.

Mr. Pitts, of Dallas, Chairman of the Standing Committee on Revision of Laws, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report.

H. 954. To amend an act entitled an act "To establish an Inferior court in precinct 21 and 37, in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with power of justices of the peace, in said precincts, and to define the jurisdiction and powers of said courts and the judges thereof," by providing two clerks and deputy clerks for said court and the payment of the expenses of said court by Jefferson county, Alabama.

H. 993. To amend an act entitled an act to fix and regulate the ex-officio fees of the clerk of the circuit court of Limestone and Morgan counties.

H. 1076. To fix the time of holding the courts in the Third judicial circuit of Alabama.

H. 963. To authorize the Lee county court of law and equity to revive and enforce judgments, decrees, orders and proceedings entered prior to July 1st, 1907, in the circuit, chancery and county courts of Lee county.

H. 964. To amend sections 5, and 15 of an act entitled "An act to establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, and provide for fees, commissions, fines, forfeitures and juries in said court, provide for supplies for

said court and repeal conflicting laws," approved the 5th day of March, 1907.

H. 912. To repeal an act entitled an act "To constitute a board of jury commissioners for Crenshaw county, approved February 7th, 1899.

H. 888. To provide for the establishment of a branch of the circuit court of Barbour county; to define its powers and jurisdiction, to regulate the trial of causes therein and the drawing and summoning of juries and witnesses therefor.

H. 887. To amend an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7, 1907.

Mr. John, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report and also H. J. R. 225.

S. 309. To provide for the protection, custody and maintenance of minor children under fourteen years of age whose parents or guardians are morally unfit.

H. 876. To divide St. Clair county into two chancery districts, to provide for holding court therein, to authorize the appointment of a register for each of said districts and to prescribe his duties.

H. 899. To validate claims against Clay county, Alabama, for work and labor and material or supplies furnished said county under provisions of the recent Clay county road law which has been declared unconstitutional, and authorize the commissioners court to audit and allow such claims as preferred claims against the general fund of said county, and direct payment of same.

H. 903. To ratify, legalize and confirm all sales and conveyances heretofore made by electric light and power companies, water companies and street railway companies of all of their property and franchises to any corporation authorized by its charter, certificate of incorporation, or declaration of incorporation, to acquire, own or operate such properties and franchises, where said sales and conveyances have been made pursuant to

and with the consent of all stockholders of such selling corporation or corporations; and requiring the purchasing corporation to fulfill all of the obligations, contracts and duties of the said selling corporation or corporations.

H. 908. To make it lawful for the defendant in all prosecutions for libel, or for the publication of papers investigating the official conduct of officers or men in public capacity or when the matter published is proper for public information, to give in evidence the truth thereof and such evidence shall be good in litigation, extenuation or justification, as the jury may determine, and the jury shall have the right to determine the law and the facts under the direction of the court.

H. 909. To amend section 5065 (3773) (4107) of the code of 1896.

H. 914. To vacate and annul those parts of avenues Nine, and Ten, west, south of Ninth street, and those parts of Tenth, Eleventh and Twelfth streets, west of Eighth avenue, west, in the city of Cullman, Alabama.

H. 926. To further define and punish attempts to rape.

H. 935. To amend section 22 of an act entitled an act to establish the city court of Bessemer.

H. 979. To fix and provide for the salary of the judge of the thirteenth judicial circuit of Alabama.

H. 1065. To vacate and annul the dedication of the following highways and parts of highways, situated in Birmingham, Jefferson county, Alabama, to-wit:

All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property. All of Eighth street from First avenue, north, to the right-of-way of the Alabama Great Southern railroad company. All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron and Railroad Company.

H. 980. To fix and provide for the salary of the chancellor of the southwestern chancery division of the State of Alabama.

H. 1032. To provide for an efficient shorthand reporter for the thirteenth judicial circuit; to prescribe the qualifications, terms of office and duties of such reporter and to fix his compensation and fees.

H. J. R. 225. Relative to recovering damages for infringement on State's copyright to the Supreme Court Reports.

H. 890. To further prescribe the official duties of the deputy solicitor of Bibb county, Alabama.

Mr. John, Chairman of the Standing Committee on Judiciary, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report with amendment:

H. 1008. (With amendment.) To establish the law and equity court of Mobile.

H. 893. To further prescribe the official duties of the deputy solicitors of the various counties of Alabama.

H. 894. (With amendment.) To prohibit any person who holds the office of justice of the peace, or any other office where authority is given to issue warrants of arrest, from acting as attorney in cases where the complaint against the defendant was made before such person, and the warrant of arrest was issued by him, in his official capacity.

H. 907. (With amendment.) To provide for the making of bonds of the State auditor and secretary of State through guarantee companies and to provide for the payment of the premium on same.

H. 1030. (With amendment.) To amend sections two, twenty-seven and thirty-three of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900, and to amend section one of an act approved February the 15th, 1901, entitled an act to amend sections eight, nine and twenty-six of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900.

Mr. Foster, Chairman of the Standing Committee on Penitentiary and Criminal Administration, reported that said committee in session had acted on the follow-

ing bills and ordered same returned to the House with a favorable report:

H. 1025. To amend an act to provide for the inspection of jails and almshouses and cotton mills or factories, approved March 4, 1907, by adding section 12 to provide for a clerk to the inspector and for office expenses of the inspector.

H. 1027. To require in certain cases a portion of the net earnings of convicts to be expended for the support of their dependent families.

Mr. Bloch, Chairman of the Standing Committee on Mining and Manufacturing, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment.

H. 547. (With amendment.) To amend Chapter 78 of the code of 1896. (Relates to Mine Inspectors.)

Mr. Bulger, Chairman of the Standing Committee on Federal Relations, reported that said Committee in session had acted on the following resolution, and ordered same returned to the House with a favorable report:

H. J. R. 222. Relative to establishing a fish hatchery.

Mr. Jenkins, Chairman of the Standing Committee on County and County Boundaries, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1054. To require the court of county commissioners of Marion county, Alabama, to use two mills each year of the two and one half mills now used for bridges for the improvement of the public roads of the county through a public road superintendent or superintendents to be appointed by said court of county commissioners, which court shall fix their compensation to be paid out of said funds; to allow all persons subject to road duty in said county to pay \$5.00 instead of working the ten days now required; and to provide how and when this law shall go into effect.

H. 1051. To provide for the payment by the county of Escambia of all accounts for postage used by certain officers of said county.

H. 897. To change the boundary line between the counties of Cleburne and Calhoun.

H. 1044. To alter or change the boundary line between the counties of Etowah and Calhoun in the State of Alabama, and as altered to establish the same.

Mr. Lovelady, Acting Chairman of the Standing Committee on Temperance, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1003. To prevent any person or persons from drinking intoxicating liquors in the presence of passengers on any railway, passenger car or street car in the State of Alabama.

H. 1034. To amend section 2 of an act, entitled an act to amend an act, entitled an act to establish, maintain and regulate a dispensary in the town of Camden, Wilcox county, Alabama, for the sale of spirituous, vinous and malt liquors, approved September 23, 1903, so as to provide that the one-fourth of the net proceeds of said dispensary, shall be appropriated to the public road fund for Wilcox county, and providing for the election by the Mayor and board of aldermen of the town of Camden, Alabama, for a cashier to issue checks for the purchase of liquors in said dispensary.

H. 976. To prohibit the sale, giving away or otherwise disposing of beer, whiskey or other intoxicants for a period of five years within one-half mile of the fair grounds of the National Negro Fair Association, located at Prichard in Mobile county, Alabama.

H. 904. To prohibit and punish the selling, bartering or exchanging of spirituous, vinous or malt liquors, or intoxicating drinks in the county of Colbert, after the first day of August, 1907, except in dispensaries located in the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in said county, and to allow the sale of grape wine under certain conditions.

H. 959. To prevent the shipment, transportation or delivery of spirituous, vinous or malt liquors or intox-

icating bitters or beverages, from any point in the State of Alabama, to any person, firm or corporation in Lawrence county, Alabama.

H. 1016. To repeal an act entitled, "An act to establish maintain and regulate a dispensary in the town of Ragland, in St. Clair county, Alabama, for the sale of spirituous, and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors, and to create a board of directors for the purpose of better controlling and managing the sale of spirituous and vinous liquors, wines, ciders, and other intoxicating liquors, and for other purposes."

H. 885. To amend an act entitled "An act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within one mile of Old Mount Zion Baptist Church, Barbour county," approved February 9th, 1897, and to provide a penalty for the violation of this act.

H. 928. To prohibit the sale of hop-jack, hop-tea, hop-weiss, hop-ale, malt tonic, or other beverages, the product of maltose or gencose, at any place where the sale of spirituous, vinous or malt liquors are prohibited by law.

H. 917. To prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters or beverages, in Dale county, Alabama.

H. 1048. To further regulate and prohibit the sale or other disposition of spirituous, vinous or intoxicating liquors, or the issuing of prescriptions by physicians for the sale or other disposition of such liquors.

H. 970. To prohibit the sale, giving away, or otherwise disposing of beer, whiskey, or other intoxicating drinks or beverages, within one mile of the Barkerville Baptist Church, at Prichard, in Mobile county, Alabama, and provide a penalty for a violation of this act.

H. 868. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating drinks or beverages within five miles of the Corona Methodist Church in Corona, in Walker county, Alabama.

H. 920. To amend section nine of an act entitled an act to authorize all incorporated towns and cities in Elmore county to establish and operate dispensary or dispensaries in such incorporated towns or cities, for the purpose of buying and selling spirituous, vinous or malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the selling of such liquors in such county approved February 9, 1907.

H. 1059. To prohibit the sale, barter, exchange, giving away, lending, delivery, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters, cordials or proprietary medicines or alcoholic drinks in Sumter county, Alabama, provided this act shall not prevent its use for religious or sacramental purposes; and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any person other than himself any such spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, or intoxicating proprietary medicines or alcoholic drinks from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, alcoholic drinks or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks to any point within this State, and to prohibit any person, firm or corporation in the State of Alabama, from shipping into Sumter county, from any point in said State, spirituous, vinous or malt liquors, intoxicating bitters, in-

toxicating beverages, intoxicating cordials, intoxicating proprietary medicines or alcoholic drinks, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict therewith.

H. 1061. To authorize the court of county commissioners of Sumter county, to use any money in the county treasury not otherwise appropriated for the purpose of employing detectives or secret service men to ferret out and detect violations of the prohibition laws of said county.

Mr. Smith, of Elmore, Chairman of the Standing Committee on Public Roads and Highways, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report:

H. 913. For the maintenance, improvement, and protection of the public roads and bridges of Cullman county, Alabama, and to provide for a special road tax therefor; also, for the purchase of implements, teams and other things necessary in the construction and improvement of the same; to pay for the same either out of the general fund for the county or the special road and bridge fund; to provide for the appointment of the commissioners' court of said county, of a road superintendent or superintendents and surveyor or surveyors, fixing their pay, defining their duties, and conferring special powers on the commissioners' court of said county; providing for the method of employing hands and how certain parties may be required to take out a license for the use of said public roads; providing the method of appointing apportioners and overseers and defining their duties, and how they can be excused from serving as such; defining the road year and those liable to road duty, the time they may be required to work; describing the manner in which they may pay in lieu of work to the tax collector of said county, and his duty as to same, and the method of warning hands, and defining those who are exempt from road duty.

H. 927. To further provide for the further construction, maintenance and repair of public roads in Jackson county.

H. 969. To provide for the more efficient working of the public roads in Mobile county, and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners of Mobile county; to prescribe the duties and fix the authority of said board; provide for the levy and collection of a road tax, and the method of disbursing moneys necessary to carry out the provisions of this act, and provide penalties for violations of its provisions.

H. 997. To amend section fourteen (14) of an act, entitled an act, to provide for the more efficient working and keeping in repair of the public roads of Morgan county; and to locate, construct, repair and keep in proper condition within the limits of said county, a system of public roads of a superior grade, to be known as the county roads of said county, approved February 28th, 1901.

H. 1017. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads, and the necessary bridges, culverts and drainways therefor, and to issue bonds of said county to aid in the construction and building thereof.

H. 1033. Providing for the more efficient working of the public roads in Wilcox county; to provide for the revenues for the same, including a vehicle license; to divide the county into five road districts and to appoint and elect road supervisors and overseers for the same; to provide for the appointment of one civil engineer; to provide for a commutation of \$7.50 per capita in lieu of work; and such other details as may be necessary for the working of the public roads in Wilcox county.

H. 1082. To repeal section 4 and amend section 12 of an act approved September 17th, 1903, entitled an act to better provide for the maintaining and keeping in repair the public roads of Escambia county.

Mr. Woolf, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same

returned to the House with a favorable report:

H. 943. To further amend the revenue laws of the State of Alabama.

H. 999. To appeal an act entitled, "An act to authorize and empower the Decatur Land Company, a corporation," to list certain of its lands to the tax assessor of Morgan county in acreage, approved December 13th, 1900.

H. 987. To impose a tax of one dollar each year on all dogs in the State of Alabama, over four months of age, and to provide for the collection of such tax and to provide that all live stock killed or injured and all damages done thereto shall be paid for out of the dog tax fund, and to provide that the surplus left in the dog tax fund on the first day of March of each year shall be paid into the public school funds of the county in which said tax was collected.

H. 1028. To repeal section 22 of an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

Mr. Woolf, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

H. 922. (With amendment.) To require each and every officer, each and every official body, tribunal or court, whose duty it is to assess or value property for taxation in the State of Alabama, to assess or value the same for taxation at forty per cent. of its cash market value.

H. 1024. (With amendment.) To provide for the assessment and collection of taxes on the cotton mills or factories in this State heretofore exempt from taxation, and whose time of exemption expired on February thirteenth, 1907.

Mr. Woolf, Chairman of the Standing Committee on Ways and Means, reported that said committee in session had acted on the following bill and ordered same

returned to the House with a favorable report with a substitute:

H. 1077. (With substitute.) To allow all foreign corporations liable to a charter fee or annual franchise tax to deduct from their actual capital employed, or to be employed in this State that part of such capital consisting of money loaned secured by recorded mortgages on real estate situated in this State.

Mr. Lee, of Etowah, Chairman of the Standing Committee on Education, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1046. To amend section two of "An act to constitute the city of Anniston a separate school district and to provide a board of education therefor.

H. 872. To provide for the establishment of high schools in this State, and to make appropriations for said schools.

H. 902. To provide for the collection and disbursement of proceeds appropriated by law to the public schools of Coffee county from the dispensaries of said county.

H. 960. To amend section 1 of an act entitled an act "To aid and encourage technical education in the State of Alabama and the providing for the erection and equipment of buildings and increased facilities at the Alabama Polytechnic Institute," approved March 2, 1907.

H. 934. To repeal an act entitled "An act to provide for the establishing of a separate school district to be known as the North Birmingham district in Jefferson county, Alabama, and to provide for the selection of a board of trustees for said school district with certain duties and powers," approved March 4th, 1901.

H. 860. To authorize the board of mayor and alderment of the city of Bridgeport in Jackson county, Alabama, to permit school children living without the limits of said city, to attend the public schools, within said city upon such terms as said board may prescribe.

H. 1004. To repeal an act entitled an act to establish and define the boundary lines of Spring Hill School District, Pike county.

H. 1026. To require the heads of all schools in this State to make annual reports to the State superintendent of education.

Mr. Lyons, Chairman of the Standing Committee on Appropriations, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 906. To appropriate a sum of money for the stationery and stationery supplies used by the Legislature of Alabama during this present session.

H. 875. For the relief of J. W. Swindle, Jas. Morris, W. R. Blackwell, R. J. Green, J. K. P. Manasco, J. H. Weems, John Orear, W. C. Atkins, U. R. Self, Jacob Strickland, John S. Jenkins, F. M. Hyche, J. W. McDaniel and R. T. Knight, ex-confederate soldiers, all resident citizens of Alabama.

H. 971. To provide for the compensation of the solicitor for Mobile county, to be elected in 1910, and his successors in office.

H. 937. To amend Sec. 5 of an act entitled an act "To establish a home for indigent confederate veterans residing in the State of Alabama who are unable to make a livelihood on account of physical disability or old age, and make appropriations for improving and maintaining the same," approved Oct. 6th, 1903.

H. 1007. For the relief of T. J. East, a one legged, disabled ex-Confederate soldier, in accordance with an act as approved Feb'y. 10th, 1899, for the relief of needy confederate soldiers and sailors resident citizens of Alabama and their widows. Requiring the probate judge of Randolph county to place or cause to be placed the name of T. J. East on the pension list of the ex-confederate soldiers of the county of Randolph.

H. 1023. For the relief of J. S. Baker a confederate pensioner of Tallapoosa county, Ala.

H. 1012. For the relief of Mary A. Galaway, widow of an ex-confederate soldier, being a resident of Shelby

county, Alabama, Whereas Mary A. Galaway has long been on the pension rolls for Shelby county, Alabama, but for the year 1905, her name was dropped from said roll through mistake.

H. 1055. For the relief of C. D. Horn; to authorize the court of county commissioners of Sumter county to issue a new warrant in favor of said C. D. Horn in lieu of warrant No. 12216 which was barred before being presented for payment.

Mr. Lyons, Chairman of the Standing Committee on Appropriations, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

H. 923. (With amendment.) To provide that all confederate soldiers, sailors and their widows, who are now drawing a pension and who are over the age of ninety years, shall be entitled to and receive a pension of the first class.

Mr. Gunter, Chairman of the Standing Committee on Municipal Organization, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 866. To extend and charge the corporate limits of the town of Carrollton, in Pickens county, Alabama.

H. 1053. To alter and re-arrange the boundaries of the town of Pollard, extending the corporate limits of said town.

H. 1010. To ratify and confirm the acts and contracts of the court of county commissioners of Russell county, or other authorized agents of said county, in borrowing money for the use and benefit of said county, and to ratify and confirm the warrants given on said contracts for money so borrowed.

H. 1009. To authorize the county of Russell to borrow money not exceeding the current revenue of said county for any one year, in the discretion of the court of county commissioners of said county.

H. 977. To authorize the board of revenue and road commissioners of Mobile county to issue bonds for the purpose of improving the harbor and river front at Mobile, Alabama.

H. 879. To dissolve the quarantine board of Mobile bay and provide for the disposition of its assets.

H. 995. To provide for the settlement, adjustment and refunding of any indebtedness to the various counties of Alabama.

The above and foregoing bills were severally read a second time, and placed on the calendar.

BILLS REPORTED ADVERSELY.

Mr. Woolf, Chairman of the Standing Committee on Ways and Means, reported the following bills to the House with an adverse report:

H. 1069. To repeal an act entitled an act to amend sections 1321 and 1322 of the code of 1896, approved March 7th, 1907.

H. 915. To reduce and fix the rate of taxation in this State.

H. 919. To better provide for the revenue of the State and to define the object, subjects and rate of taxation—reducing the rate of taxation for the use of the State from twenty-five cents on each hundred dollars of the assessed valuation of taxable property to fifteen cents on each hundred dollars thereof.

H. 1056. To repeal section 9 of an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

H. 1060. To amend section 7 of an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

H. 1062. To fix the rate of taxation for the use of the State of Alabama.

H. 1045. (With minority report.) To repeal an act entitled "an act to better provide for revenue of the State and more efficiently assess and collect taxes and for this purpose to create a commission to be known as the State Commission of Alabama, and to prescribe powers and

duties of said commission and its mode of procedure and to abolish the office of State Tax Commissioner, approved March 7th, 1907.

Mr. Foster, Chairman of the standing committee on Penitentiary and Criminal Administration reported to the House the following bills with an adverse report:

H. 882. To authorize the board of county commissioners of Tuscaloosa county to purchase and keep for the use of said county, man dogs not exceeding six in number at any one time, and to pay for said dogs and their support and keeping out of the general fund of the county.

H. 802. To provide for the protection, custody and maintenance of, minor children under fourteen years of age, whose parents or guardians are morally unfit.

H. 487. To regulate the collection, application and disbursement of the proceeds of the hire of county convicts sentenced to hard labor for Jefferson county.

Mr. Lee, of Etowah, Chairman, of the standing committee on Education reported that said committee in session had acted on the following bills and ordered same returned to the House and reported adversely:

H. 962. To amend section eight of an act entitled "To provide for the redistricting of the public schools of the State and for the management and control of same." Approved Sept. 30, 1903.

H. 809. To authorize the county commissioners of Perry county, Alabama, to appropriate annually from the funds of said county the sum of two hundred and fifty dollars for the use of the county board of education of said county to be used by said board for the sole and only purpose of advancing the interests of the public schools of said county.

H. 807. To amend sections one and six of an act entitled "An act to incorporate the town of Marion, Perry county, as a separate public school district," approved February 5, 1877.

H. 961. To amend section 3622, article 9 of the Code of Alabama.

Mr. Smith, of Elmore, Chairman of the Standing Committee on Public Roads and Highways, reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 838. To authorize the institution of suits in equity to abate and remove any structure which is now or may hereafter be erected, upon any public highway or street in this State whether the same be within or without the limits of any city, by any property owner whose property abuts any such highway or street, and to provide for the execution of a bond to indemnify any person who may be injured by such suit if unsuccessful.

H. 422. To amend the laws relating to public roads for Wilcox county; to divide the county into five road districts; to provide for working the public roads; to establish or to purchase ferriers, and to provide means for the working of the roads of Wilcox county.

Mr. Pitts, of Dallas, Chairman of the Standing Committee on Revision of Laws, reported that said Committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 957. To amend section 4903 of the Code of 1896.

H. 1031. To amend section 2038 of the Code of Alabama of 1896, and all acts admendatory thereof in so far as the same applies to Walker county.

H. 1078. To amend section 5538 of the Code of 1896.

H. 998. To amend section 4797 of the Code of Alabama, of 1896.

H. 994. To amend section 4792 of Code, 1896, defining card and dice playing at public houses, and other public places.

H. 886. To allow clerks of the circuit and city courts and Sheriffs of this State to collect their costs in cases of acquittal, nolle-prosequi, dismissal, or where for any reason criminal prosecutions or causes are abated, out of whatever fines may come into their hands by reason of convictions or where pleas of guilty are entered by defendants and fines paid.

Mr. Ballard, of Autauga, Chairman of the Standing Committee on Temperance, reported that said committee had acted on the following bills and ordered same returned to the House with an adverse report:

H. 867. To authorize the town of Roanoke, in Randolph county, Alabama, in its corporate name and capacity and through its legislative body, to establish, operate and maintain a dispensary in the town of Roanoke, Randolph county, Alabama, for the purpose of buying and selling spirituous, vinous, malt liquors, cider and other intoxicants, and to prohibit the sale of such liquors and other intoxicants, in the town of Roanoke, Ala., otherwise than through such dispensary, and to provide for elections after its establishments under this act, to determine whether the operation of such dispensary shall be suspended or continued, said elections to be held at intervals not less than one year apart.

S. 107. To prohibit the sale, barter, or transfer for profit, either direct or indirect, of any spirituous, vinous, or malt liquors, or other intoxicating drinks or beverages in Etowah county, in this State, outside the corporate limits of incorporated cities and towns.

Mr. Gunter, Chairman of the Standing Committee on Municipal Organization, reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 1001. To amend section 1 of an act entitled an act to establish a new charter for the town of Hartselle in Morgan county, approved February 18th, 1899.

H. 1015. To amend section 2 of an act to establish a charter for the city of Vincent, in Shelby county, Alabama, (which said section fixes the corporate limits of the town of Vincent in Shelby county, Alabama) approved February 16th, 1897.

S. 375. To incorporate the town of Hayneville.

H. 1002. To amend an act entitled an act to incorporate the town of Somerville in Morgan county, Alabama, approved February 3rd, 1872.

Mr. John, Chairman of the Standing Committee on Judiciary, reported that said committee in session had

acted on the following bills and ordered same returned to the House with an adverse report:

H. 873. To provide for the purchase, by the State of Alabama, of certain reprinted volumes of the reports of the decisions of the Supreme Court of Alabama.

H. 880. To amend section 1485 of the Code of Alabama.

H. 881. To prescribe the effect of the non-payment of taxes on any mortgage, deed of trust or written contract of conditional sale, on suits for the enforcement thereof and collection of debts secured thereby, and on foreclosure thereof, under power of sale.

H. 911. To make it unlawful for any white man and negro woman, or the descendant of any negro, to the third generation, inclusive, though one ancestor of each generation was a white person, or any white woman and any negro man, or the descendant of any negro, to the third generation inclusive, though one ancestor of each generation was a white person, to co-habit with, or to have sexual intercourse with, or to lie in bed with, or to live in the same room with, each other. And to fix the punishment for the violation thereof.

H. 918. To exempt undertakers, who are licensed embalmers from jury service.

S. 377. To exempt members of volunteer fire companies, in incorporated towns and cities, from military and jury duty and from the payment of poll and street tax, and to provide for their incorporation.

MESSAGE FROM THE SENATE.

Mr. Speaker: —

The Senate has amended as therein shown and as thus amended has passed House bill:

H. 25. To define corrupt solicitation of legislators and provide adequate punishment therefor and the means to effectually enforce this act.

And returns same herewith to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. John, the House nonconcurrent in the Senate amendment to the bill H. 25.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your Committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bills:

H. 469. To amend section 12 of an act, to grant a new charter to the Alabama Girls Industrial School, approved March 4, 1901, and to confer additional powers on the Trustees of the school.

H. 705. To change the boundary line of the incorporation of the town of Wilsonville in Shelby county, Alabama.

H. 766. To amend section 1 of an act, approved February 15, 1899, entitled "an act to amend an act entitled an act to establish the Tuscaloosa county law and equity court, approved December 9th, 1896.

H. 551. To amend an act entitled an act to authorize and require the commissioners' court of Pickens county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury, and the clerk of the circuit court of said county, fees which by law become a good claim against the fine and forfeiture fund of said county as hereinafter provided in section two of this act, and to regulate the manner of said payments, and fixing the amount of said witness fee, approved December 13, 1900.

H. 774. To detach election precinct number nine (9) in St. Clair County, known as Ragland election precinct, from the southern judicial division of the county and attach the same to and make it a part of the northern judicial division of St. Clair county and to confer

jurisdiction with right to hear and try all matters and causes, civil and criminal, arising in said election precinct, on the circuit court, chancery court, probate court, county court and commissioners court of the northern judicial division of said county, with place of holding court at Ashville in said county; in the same manner and to the same extent as if said election precinct had never been attached to and made a part of the southern judicial division of said St. Clair county.

H. 686. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23rd, 1899, Acts 1898-99, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof, to the law and equity court of Madison county, and to give such court jurisdiction of such causes and proceedings, and full power and authority thereover.

H. 795. To prohibit any person or corporation from selling, giving away, delivering or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating bitters or beverages in Marion county, Alabama, prescribing that a delivery shall constitute a sale, and prescribing a penalty for the violation of said law.

H. 224. To repeal an act entitled an act to increase the jurisdiction of justices of the peace in Marion and other counties, approved February 13, 1891, so far as the same relates to Marion county.

H. 525. To amend section 3931 of the Code of Alabama so far as the same relates to Pike county. (Relating to tax assessors.)

H. 129. To repeal an act entitled an act to establish a board of police commissioners for the city of Bessemer, Alabama, to provide for the appointment of such commissioners, to define their powers and duties and to regulate the police department of the city, approved March 3rd, 1903.

H. 690. To require the county board of education of Wilcox county to audit and pass upon the accounts of the district trustees of the several school districts in

Wilcox county, of the funds paid over to them by the superintendent of education of Wilcox county, arising out of the dispensary at Camden to be used by them for school purposes.

H. 817. To repeal an act entitled an act to provide a fund to be used exclusively for the support of a paid fire department in the city of Mobile, approved February 21st, 1889.

H. 134. To provide for the assessment and collection of poll taxes.

H. 847. To be entitled an act to provide for the payment of the salary of the judge of the city court of Aniston, and to fix the amount of the same at thirty-five hundred dollars.

H. 687. To repeal all statutes and laws establishing county courts, and proceedings therein, with monthly terms, for the trial of misdemeanors, (Code section 4593, et seq.) so far as the county of Madison is concerned.

H. 797. To require the commissioners' court of Marion county to advertise for bids for the building of public bridges and other public improvements for at least thirty days before the same is let in some newspaper published in said county and to provide for the manner of letting or receiving bids for same.

H. 720. To repeal an act, entitled "An act to prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating cider, bitters or beverages within a radius of six miles of the Methodist church in Gordon, Houston county, Alabama," approved February 6th, 1897.

H. 360. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any of the voting precincts of Crenshaw county, Alabama, and to make it unlawful for the probate judge of said county to issue licenses to any person, firm or corporation, to sell, give away or otherwise dispose of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any precinct of said county until the propo-

sition shall have first been submitted to the qualified voters of the precinct in which the aforesaid liquors are to be sold, given away or otherwise disposed of, and to provide for an election therefor and the expense of holding an election and to punish the violations of the provisions of this act.

H. 742. To prohibit the sale of intoxicating liquors of every kind, within three miles of the public school house at Creola, Mobile county, Alabama, and to provide a penalty for the violation of this act.

Ernest Lacy, Chairman.

The report of the committee was concurred in.

MOTION IN WRITING.

Mr. Lee, of Houston, gave notice of the following motion in writing:

Notice is hereby given that a motion will be made that H. B. 1045 be taken from the adverse calendar and referred to committee of the whole House.

UNFINISHED BUSINESS.

The House proceeded to the consideration of the unfinished business, which was the bill:

S. 291. To regulate sales of stocks of merchandise in bulk or portions thereof, otherwise than in the ordinary course of trade, and to punish violations of the same.

The question was upon the adoption of the amendment reported by the standing committee on Judiciary as amended by the committee offered by Mr. Steagall, said amendment being as follows:

Amend section 1 by striking out the words: "under oath."

Amend section 3 by adding thereto: "Provided, this act shall not apply to the sale of any goods or personal property which are exempt to the vendor from levy and sale under execution, or other legal process, as to claims

or debts for the collection of which the debtor has not waived his exemptions according to law."

Amend by striking out section 4 of the bill.

And the amendment was adopted.

Yeas, 56; nays, 6.

Yeas:

Messrs:—

Speaker	Fuller	Moore
Altman	Glover	McMillan
Armstrong	Haley	Parker
Arnold	Henley	Pitts (Dallas)
Arrington	Jenkins	Pitts (Perry)
Avery	John	Powell (Bullock)
Ballard (Pike)	Johnson	Power
Baltzell	Jones	Pratt
Benners	Kirby	Price
Burney	Kornegay	Pugh
Cannon	Lacy (Walker)	Ragsdale
Carmichael (Clay)	Lawson	Rainer
Coleman (Lowndes)	Lee (Barbour)	Rowe
Coleman (Marshall)	Lee (Etowah)	Rushton
Cooper	Malone	Sanford
Cranford	Maner	Thompson
Doyle (Clark)	Mastin	Turner
Dudley	Middleton	Vann
Elrod	Mitchell	

—56.

Nays:

Messrs:—

Barton	Lindsey	Sanders
Bulger	McDuffie	Williams

—6.

Mr. Steagall offered the following amendment to the bill:

Amend section 1 of the bill by striking out the words "Together with the amount of indebtedness due or owing, or to become due or owing, by said vendor to each of said creditors."

And the amendment was adopted.

Yeas, 74; nays, 4.

Yeas:

Messrs:—

Speaker	Henley	Pitts (Perry)
Alford	Jenkins	Fowell (Bullock)
Altman	Johr	Pratt
Armstrong	Johnson	Price
Arnold	Kirby	Pugh
Arrington	Kornegay	Ragsdale
Avery	Lacy (Dallas)	Rainer
Ballard (Pike)	Lacy (Walker)	Rowe
Baltzell	Lancaster	Rushton
Barton	Lawson	Sample
Benners	Lee (Barbour)	Sanders
Brown	Lee (Houston)	Sanford
Bulger	Lindsey	Sherrod
Burney	Long (Morgan)	Smith (Elmore)
Cannon	Malone	Smith (Etowah)
Carmichael (Clay)	Maner	Smith (Franklin)
Coleman (Lowndes)	Middleton	Steagall
Coleman (Marshall)	Mitchell	Thompson
Cooper	Moore	Tunstall
Cranford	McDuffie	Turner
Doyle (Clark)	McMillan	Urquhart
Doyle (Marengo)	Oliver	Vann
Glover	Parker	Weaver
Gunter	Pearson	White (Perry)
Haley	Pitts (Dallas)	

—74.

Nays:

Messrs:—

Edwards	Killen	Power
Williams		

—4.

On motion of Mr. Lee of Houston, the bill, S. 291, and pending amendments were laid upon the table.

Yeas, 47; nays, 44.

Yeas:

Messrs:—

Alford	Fuller	Oliver
Arnold	Henley	Pearson
Arrington	Jenkins	Pitts (Perry)
Avery	Johnson	Powell (Bullock)
Ballard (Pike)	Killen	Powell (Covington)
Benson	Lacy (Dallas)	Price
Brown	Lawson	Pugh
Bulger	Lee (Barbour)	Rainer
Burney	Lee (Houston)	Sanders
Carmichael (Clay)	Lindsey	Sanford
Coleman (Marshall)	Long (Butler)	Smith (Etowah)
Cooper	Long (Morgan)	Steagall
Doyle (Clark)	Malone	Thompson
Doyle (Marengo)	Mastin	Vann
Dudley	Middleton	Williams
Elrod	McMillan	

—47.

Nays:

Messrs:—

Speaker	Kornegay	Ragsdale
Armstrong	Lacy (Walker)	Rice
Ballard (Pike)	Lancaster	Rowe
Barton	Lee (Etowah)	Rushton
Benners	Lovelady	Sample
Cannon	Lyons	Sherrod
Coleman (Lowndes)	Maner	Smith (Elmore)
Cranford	Mitchell	Smith (Franklin)
Crum	Moore	Tunstall
Foster	McDuffie	Turner
Glover	Norville	Urquhart
Gunter	Parker	Weaver
Haley	Pitts (Dallas)	White (Lamar)
John	Power	White (Perry)
Jones	Pratt	Wolf

—44.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House with a favorable report with amendment, the following House resolutions:

Nos. 226, 161, 131, 154, and the resolutions as amended were adopted. And the following resolutions with an adverse report: Nos. 84, 85, 120, 132, 136, 137, 153, 155, 158, 162, 229.

Mr. John returned to the House resolution 224, with a favorable report with amendment, said amendment being as follows:

Favorable with amendment as follows: To strike out at end of resolution, the words: "Governor and also to the next special or regular meeting of the," and adding after the word "Legislature" the words "At its present session." It will then read—"and report their findings to the Legislature at its present session."

And the resolution as amended was adopted.

WITHDRAWAL OF BILL.

On motion of Mr. John, the bill

H. 429. To further regulate the liability of masters, and employes, their agents, servants, officers and employees.

Was returned to the standing committee on Judiciary, with the instructions that it would not lose its place upon the calendar.

BILLS ON THIRD READING.

S. 221. To amend section seventeen of an act to establish a uniform system for the examination and li-

censing of teachers of public schools, approved February 10th, 1899, amended February 8th, 1901.

Was read a third time, at length, and passed.

Yeas, 68; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Pitts (Dallas)
Armstrong	Haley	Powell (Bullock)
Arnold	Henley	Powell (Covington)
Arrington	Hughston	Power
Avery	Jenkins	Price
Barton	John	Pugh
Benners	Johnson	Ragsdale
Brown	Jones	Rainer
Bulger	Kornegay	Rice
Burney	Lacy (Walker)	Rowe
Cannon	Lancaster	Rushton
Carmichael (Clay)	Lawson	Sample
Coleman (Lowndes)	Lee (Barbour)	Sanders
Coleman (Marshall)	Lee (Etowah)	Smith (Elmore)
Cooper	Lindsey	Smith (Franklin)
Cranford	Long (Butler)	Smith (Lee)
Crum	Malone	Turner
Doyle (Clark)	Mitchell	Urquhart
Doyle (Marengo)	Moore	Vann
Dudley	McDuffie	Weaver
Edwards	Oliver	White (Lamar)
Elrod	Parker	Woolf
Foster	Peete	

—68.

H. 461. To legalize the dissection of human bodies in this State, and to provide for the use of certain bodies for such purposes.

Was taken up. Mr. Urquhart offered the following amendment to the bill:

"Amend by adding the following after the words 'twelve hours' wherever they occur in bill, provided the friends or relatives of the deceased can claim the body at any time."

And the amendment was adopted.

Yeas, 56; nays, 2.

Yeas:

Messrs:—

Speaker	Henley	Powell (Bullock)
Altman	Hughston	Powell (Covington)
Arrington	Jones	Power
Avery	Killen	Price
Ballard (Pike)	Kirby	Pugh
Barton	Kornegay	Ragsdale
Benners	Lacy (Walker)	Rainer
Bloch	Lawson	Rowe
Bulger	Lee (Barbour)	Sample
Burney	Lee (Etowah)	Sanders
Cannon	Malone	Smith (Etowah)
Carmichael (Clay)	Mastin	Smith (Franklin)
Coleman (Marshall)	Mitchell	Smith (Lee)
Cranford	McMillan	Urquhart
Doyle (Marengo)	Oliver	Vann
Edwards	Pearson	Weaver
Elrod	Peete	Williams
Fuller	Pitts (Dallas)	Woolf
Glover	Pitts (Perry)	

—56.

Nays:

Messrs:—

Arnold	Johnson
--------	---------

—2.

And the bill:

H. 461. To legalize the dissection of human bodies in this State, and to provide for the use of certain bodies for such purposes.

As amended, was read a third time, at length, and passed.

Yeas, 47; nays, 26.

Yeas:

Messrs:—

Arrington	Cranford	Kornegay
Benners	Foster	Lancaster
Benson	Gunter	Lawson
Bloch	Haley	Lee (Barbour)
Bulger	Hoffman	Lee (Etowah)
Burney	Hughston	Long (Morgan)
Carmichael (Clay)	Jenkins	Lyons

Maner	Ragsdale	Tunstall
Mastin	Rainer	Turner
Mitchell	Rice	Urquhart
Moore	Rowe	Vann
McDuffie	Sanders	Weaver
McMillan	Sanford	White (Lamar)
Parker	Sherrod	Williams
Pitts (Dallas)	Smith (Lee)	Woelf
Powell (Bullock)	Thompson	

—47.

Nays:

Messrs:—

Speaker	Elrod	Pearson
Arnold	Johnson	Powell (Covington)
Avery	Jones	Power
Ballard (Pike)	Killen	Pugh
Barton	Kirby	Rushton
Brown	Lacy (Walker)	Sample
Cannon	Lee (Houston)	Smith (Etowah)
Coleman (Lowndes)	Lovelady	Smith (Franklin)
Edwards	Malone	

—26.

On motion of Mr. Pitts, of Dallas, the bill, H. 461, was ordered set forthwith to the Senate without engrossment.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House amendment to the following Senate bill:

S. 327. To amend Sec. 7 of an act entitled an act to amend an act to regulate the trials of misdemeanors in Bibb county, approved December 14, 1894.

J. A. Kyle,
Secretary.

H. 582. To provide for the more efficient supervision of the public schools of the State.

Was taken up. Mr. Lee, of Etowah, offered the following substitute for the bill, H. 582:

Substitute for H. B. 582.

A BILL

To be entitled An Act to provide for the more efficient supervision of the public schools of the State.

Be it enacted by the Legislature of Alabama:

Section 1. That when the successors to the members of the county board of education now in office shall be elected on the 2nd Saturday in August, 1908, as provided by law, five members shall be elected, who shall constitute the county board of education in their respective counties. Two of said members shall be elected to serve two years and three to serve four years. Said board shall organize by election one of their number chairman and one as secretary-treasurer. The members of said board shall qualify by taking and subscribing to an oath as is now required by law. No member of said county board of education shall engage in teaching in a public school nor be a district trustee as long as he is a member of said board. Provided, that on the 2nd Saturday in August, 1910, and each two years thereafter there shall be elected members of the board to fill vacancies occurring at that time and each subsequent two years.

Section II. No person shall be eligible to be elected to the office of county superintendent of education, or shall hold such office, or perform the duties thereof, who is not a teacher holding a first grade Alabama certificate. Provided, that if no person meeting the requirements provided for in this section is elected to the office, the superintendent of education of the State, with the approval of the governor, shall appoint from the qualified electors of the county a county superintendent.

Section III. After the first Tuesday after the 1st Monday in November, 1908, the county superintendent of education shall devote their entire time during the season the public schools are kept open to supervising the schools of their respective counties and to the performance of all such other duties as may be required

under the laws of this State or the rules and regulations of the county boards of education.

Section IV. A county superintendent of education shall be elected for each county in the State by the qualified electors of the respective counties on the 1st Tuesday after the 1st Monday in November, 1908, and every four years thereafter. Such officers when so elected shall hold office for a term of four years, beginning on the 1st Monday after the 2nd Tuesday in January next succeeding their election. Superintendents elected or appointed under this act shall qualify as now provided for by law, provided that the provisions of this act as to the qualifications for the office of county superintendent shall not apply to county superintendents now in office should they be applicants at the general election in 1908.

Section V. That the salary of the county superintendent of education shall be fixed by the county board of education in each county at a sum not less than six hundred dollars nor more than eighteen hundred dollars per annum from the State fund, and shall be paid as the salaries of other teachers are paid. The county board of education is authorized to order the payment of said salaries when said superintendent shall present a monthly report in such form as shall be prescribed by the superintendent of the State.

Section VI. That in counties in which there are 25,000 children or more of legal school age, the county board of education may employ a teacher holding an Alabama certificate as assistant county superintendent and fix the salary, not to exceed one thousand dollars per annum. Said assistant superintendent shall keep the books and papers, and do the clerical work of the office and shall perform such other duties as may be prescribed by the county board of education, and shall be paid monthly as the teachers of the county are paid.

Section VII. That all laws and parts of laws in conflict with any of the provisions of this act, be and the same are hereby repealed.

On motion of Mr. Lee, of Etowah, the further consideration of the bill No. 582, was postponed and three

hundred copies of the bill were ordered printed for the use of the House, and that the bill would not lose place on calendar.

BILLS ON THIRD READING.

H. 271. To prevent the removal of ginner's tags from cotton bales and to provide a penalty therefor.

Was read a third time, at length, and passed.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Powell (Bullock)
Alford	Fuller	Powell (Covington)
Armstrong	Glover	Power
Arrington	Hughston	Pugh
Avery	John	Ragsdale
Ballard (Pike)	Jones	Rainer
Barton	Kornegay	Rice
Benners	Lancaster	Rushton
Brown	Lawson	Sample
Bulger	Lee (Barbour)	Sanders
Burney	Lee (Houston)	Sanford
Cannon	Lovelady	Smith (Elmore)
Carmichael (Clay)	Mitchell	Smith (Etowah)
Coleman (Marshall)	Moore	Smith (Franklin)
Cranford	McDuffie	Smith (Lee)
Crum	McMillan	Weaver
Doyle (Marengo)	Parker	White (Lamar)
Dudley	Pearson	Williams
Edwards	Peete	Woolf
Elrod	Pitts (Perry)	

—59.

H. 160. To provide for the establishment of a bureau to be known as a Bureau of Industrial and Labor Statistics and for the appointment of a commissioner of labor, outlining his duties and providing for the expenses of said bureau.

Was taken up. On motion of Mr. McMillan the bill, H. 160, was laid upon the table.

H. 421. Providing for the survey and analysis and classification of soils of the State.

Was taken up. Mr. Rice moved to table the bill, H. 421, and the motion to table was lost.

And the bill:

H. 421. Providing for the survey and analysis and classification of soils of the State.

Was read a third time, at length, and passed.

Yeas, 57; nays, 36.

Yeas:

Messrs:—

Speaker	Henley	Pearson
Alford	Jenkins	Peete
Arnold	Johnson	Pitts (Dallas)
Ballard (Pike)	Jones	Pitts (Perry)
Baltzell	Kornegay	Power
Benners	Lacy (Dallas)	Pratt
Bloch	Lacy (Walker)	Pugh
Bulger	Lancaster	Rainer
Burney	Lawson	Rattray
Coleman (Marshall)	Lee (Etowah)	Rushton
Cooper	Lindsey	Sample
Crum	Long (Butler)	Sanders
Doyle (Clark)	Long (Morgan)	Sanford
Doyle (Marengo)	Lyons	Seale
Dudley	Middleton	Smith (Elmore)
Edwards	Mitchell	Tunstall
Elrod	Moore	Urquhart
Gunter	McDuffie	Vann
Haley	McMillan	Woolf

—57.

Nays:

Messrs:—

Avery	Foster	Lee (Houston)
Barton	Fuller	Lovelady
Benson	Glover	Malone
Brown	Hughston	Maner
Cannon	Johnson	Mastin
Carmichael (Clay)	Killen	Oliver
Coleman (Lowndes)	Kirby	Parker
Cranford	Lee (Barbour)	Powell (Bullock)

Powell (Covington)	Smith (Franklin)	Turner
Rice	Smith (Lee)	Weaver
Rowe	Steagall	White (Lamar)
Sherrod	Thompson	White (Perry)

—36.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bills:

H. 839. To better provide for the working the public roads in Pike county, Alabama, prescribe rules and regulations for the same and prescribe penalties for the violation of the provisions of this act.

H. 752. To vacate and annul that part of Ninth street from the alley extending through blocks 228 and 229 on which it the right of way of the Louisville & Nashville R. R. south of the alley extending east and west through blocks 268 and 269 and also that part of Seventh street that extends from the right of way of the Louisville & Nashville R. R. south to the right of way of the Southern railway company in the town of North Birmingham, Ala., as public streets or highways and to annul and extinguish the dedication thereof.

H. 810. To establish a board of revenue for Houston county.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following resolution:

H. J. R. 224. To appoint a committee to investigate the Alabama Insane Hospital at Tuscaloosa.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills:

S. J. R. 57. Memorializing Congress to establish a fish hatchery in Alabama.

S. 233. To fix the time for holding the circuit court of Randolph county, and to fix the term for the same.

S. 266. To make the office of judge of the city court of Anniston, in Calhoun county, Alabama, elective by the qualified electors of Calhoun county, Alabama.

Your signature thereto is requested.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, S. 233 and S. 266 and S. J. R. No. 57, the titles to which are set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following joint resolution:

Resolved by the Senate, the House of Representatives concurring, that when the Legislature adjourns to-day, Friday, July 12, it be to reconvene Tuesday, July 16th, at the hour of meeting as fixed by the rules of each House.

Committees to sit during recess.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The resolution set out in the above and foregoing Senate message was read one time and referred to the standing committee on Rules.

REPORT OF SPECIAL COMMITTEE.

Mr. Pitts, of Perry, from the special committee to sit during the recess, to examine into the so-called fertilizer trust, made his report and on motion of Mr. Long, of Butler, 500 copies of the report were ordered printed.

BILLS ON THIRD READING.

H. 513. To fix the salary of the clerk of the adjutant general and to make appropriation for same.

Was read a third time, at length, and passed.

Yeas, 44; nays, 36.

Yeas:

Messrs:—

Speaker	Foster	McDuffie
Altman	Gunter	McMillan
Arnold	Henley	Pearson
Avery	John	Pitts (Dallas)
Barton	Jones	Powell (Bullock)
Bloch	Lawson	Power
Brown	Lee (Houston)	Price
Bulger	Lindsey	Pugh
Burney	Long (Butler)	Rainer
Carmichael (Clay)	Long (Morgan)	Rice
Cooper	Lyons	Sanford
Crum	Malone	Smith (Lee)
Doyle (Marengo)	Maner	Vann
Edwards	Mastin	Woolf
Elrod	Mitchell	

Nays:

Messrs:—

Baltzell	Coleman (Marshall)	Haley
Benson	Cranford	Hughston
Cannon	Fuller	Jenkins
Coleman (Lowndes)	Glover	Johnson

Killen	Peete	Smith (Elmore)
Kirby	Pitts (Perry)	Smith (Etowah)
Kornegay	Powell (Covington)	Smith (Franklin)
Lee (Etowah)	Pratt	Turner
Lovelady	Ragsdale	Urquhart
Moore	Sample	Weaver
Oliver	Sanders	White (Lamar)
Parker	Sherrod	Williams

—36.

REPORT OF RULES COMMITTEE.

Mr. John, from the standing committee on Rules, returned to the House Senate joint resolution No. 61, relative to the adjournment of the two Houses until Tuesday morning at 8:30, with a favorable report, and the resolution was adopted.

ADJOURNMENT.

The hour of 1 o'clock having arrived, the House adjourned until 3 o'clock this afternoon.

AFTERNOON SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Barton	Coleman (Mr. Marshall)
Alford	Benners	Cooper
Altman	Benson	Cranford
Armstrong	Bloch	Crum
Arnold	Brown	Doyle (Clark)
Arrington	Bulger	Doyle (Marengo)
Avery	Burney	Edwards
Ballard (Pike)	Cannon	Elrod
Baltzell	Coleman (Lowndes)	Foster

Fuller	Long (Morgan)	Rice
Glover	Lovelady	Rowe
Gunter	Lyons	Rushton
Haley	Malone	Sample
Henley	Middleton	Sanders
Hoffman	Mitchell	Sanford
Hughston	Moore	Seale
Jenkins	McDuffie	Sherrod
John	McMillan	Smith (Elmore)
Johnson	Norville	Smith (Etowah)
Killen	Oliver	Smith (Franklin)
Kirby	Parker	Smith (Lee)
Kornegay	Pearson	Thompson
Lacy (Dallas)	Pitts (Dallas)	Tunstall
Lacy (Walker)	Pitts (Perry)	Turner
Lancaster	Power	Urquhart
Lee (Barbour)	Pratt	Vann
Lee (Etowah)	Price	Weaver
Lee (Houston)	Pugh	White (Lamar)
Lindsey	Ragsdale	White (Perry)
Long (Butler)	Ratray	Woolf

—90.

A quorum was present.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in H. J. R. 224, Relative to the appointment of a joint committee to investigate the Alabama Insane Hospital at Tuscaloosa.

And the President of the Senate has appointed as committee on the part of the Senate, Messrs. **Spragins** and **Hays**.

And has also originated and adopted the following joint resolution:

Resolved by the Senate, the House concurring, that the governor is hereby requested to return to the House for its further consideration Senate bill number 332. Said bill is entitled, "An act to authorize the court of county commissioners of Perry county to appropriate

the sum of \$250 per year to the use of the county board of education of said county to be used for educational purposes."

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. White, of Perry, the House concurred in the S. J. R., relative to the return from the governor S. 332.

BILLS ON THIRD READING.

S. 258. To repeal an act entitled an act to constitute the town of Blountsville, and vicinity, in Blount county, a separate school district, approved February 5th, 1885.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Parker
Arrington	Henley	Pearson
Avery	John	Pitts (Dallas)
Ballard (Pike)	Johnson	Pitts (Perry)
Baltzell	Jones	Powell (Bullock)
Barton	Killen	Power
Benners	Kirby	Price
Brown	Kornegay	Rattray
Bulger	Lancaster	Rice
Burney	Lawson	Rushton
Carmichael (Clay)	Lee (Houston)	Sample
Coleman (Lowndes)	Lindsey	Sanford
Cooper	Long (Butler)	Seale
Crum	Long (Morgan)	Smith (Elmore)
Doyle (Clark)	Lovelady	Smith (Etowah)
Doyle (Marengo)	Lyons	Smith (Franklin)
Dudley	Mastin	Smith (Lee)
Edwards	Mitchell	Turner
Elrod	Moore	Weaver
Foster	McDuffie	White (Perry)
Fuller	McMillan	Woolf
Glover		

WITHDRAWAL OF BILL.

Mr. Glover asked unanimous consent to withdraw a certain bill. Consent was granted and the bill:

H. 304. To further regulate the city court of Birmingham, Alabama, and the practice and procedure in said court; to provide for judges thereof, their election, term of office, removal, power and salary; for the election, term of office, bond, removal and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery, and other supplies for the holding of said court.

Was withdrawn.

BILLS ON THIRD READING.

H. 239. To repeal an act entitled an act to repeal section 1017 and section 1018 of the revised Code of 1896, in so far as the same relates to Calhoun, Mobile, Etowah and Marion counties, approved March 1, 1901, in so far as the same relates to Marion county.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

McSSRS:—

Speaker	Edwards	Long (Butler)
Arrington	Elrod	Long (Morgan)
Avery	Foster	Lovelady
Ballard (Pike)	Fuller	Lyons
Baltzell	Glover	Mastin
Barton	Gunter	Mitchell
Benners	Henley	Moore
Brown	John	McDuffie
Bulger	Johnson	McMillan
Burney	Jones	Oliver
Carmichael (Clay)	Killen	Parker
Coleman (Lowndes)	Kirby	Pearson
Cooper	Kornegay	Pitts (Dallas)
Crum	Lancaster	Pitts (Perry)
Doyle (Marengo)	Lawson	Powell (Bullock)
Dudley	Lindsey	Power

Price	Rushton	Smith (Elmore)
Pugh	Sample	Turner
Rattray	Sanford	Vann
Rice	Seale	Weaver
Rowe	Sherrod	Woolf

—63.

H. 656. To create and establish the Marengo law and equity court for Marengo county.

Was taken up. Mr. Woolf offered the following substitute for the bill:

A BILL

To be entitled an act, to create and establish the Marengo law and equity court for Marengo county.

Section 1. Be it enacted by the Legislature of Alabama, That there is hereby created and established in and for the county of Marengo, in the State of Alabama, an inferior court of law and equity, which shall be a court of record, and shall be known as and called the Marengo law and equity court. That said court shall be invested with, and shall have and exercise, all the jurisdiction and powers which are now, or which may hereafter be conferred by law upon the several circuit and chancery courts of this State. When exercising the jurisdiction and powers of the circuit court, it shall conform to their rules of practice and procedure in the circuit courts of the State; and when exercising the jurisdiction and powers of the chancery court, it shall conform to the rules of practice and procedure of the chancery courts of the State, except in cases where such rules of practice and procedure in said circuit and chancery courts are changed by the provision or under the authority of this act. And, provided, that the judge of this court shall have the power and authority to make and adopt such rules of practice and procedure for this court, not inconsistent with the provisions of this act, as in his opinion may be required and necessary for an expeditious dispatch of the business of said court, and for a proper system of practice

and procedure in said court, and may amend or annul the same as may be expedient; and such rules of practice and procedure shall be entered upon the minutes of said court, and shall be subject to revision, change or annulment by the supreme court of this State.

Section 2. That there shall be a judge of and for said Marengo law and equity court, who shall be appointed by the governor of Alabama within ten days after the approval of this act, whose term of office shall begin immediately upon the issuance of his commission and shall continue until the first day of January, 1913, and until his successor is elected and qualified. At the general election in November, 1912, and every six years thereafter, the judge of and for said court shall be elected by the qualified voters of Marengo county; and the judge so elected shall hold office for six years, commencing on the first day of January, following his election, and until his successor is elected and qualified. The judge of the court herein provided for shall take the oath of office prescribed by law before entering upon any of the duties pertaining to his office, and he may be impeached or removed from office for the same causes, by the same tribunals, and in the same manner as judges of the circuit courts of this State. The said judge of said court shall have and exercise all the authority, jurisdiction and powers which are now, or may be hereafter, lawfully exercised by judges of the circuit courts and chancellors of the chancery courts of this State, including power and authority to issue writs of injunction, prohibition, certiorari, mandamus, habeas corpus, supersedeas, ne exeat, and all other writs which are now, or may hereafter be, lawfully issued by the said judges of said circuits courts and chancellors of said chancery courts of this State, returnable to any court within the State. The judge of said court shall have been a citizen of the United States and of the State of Alabama for a period of five years, and a citizen of the county of Marengo for a period of two years next preceding his election, and shall be not less than twenty-five years of age, and shall be learned in the law; and at the time of his election and during

his continuance in office he shall reside in Marengo county. Vacancies in the office of judge of said court shall be filled by appointment by the governor, and the appointee shall hold his office until the next general election for any State officer held at least six months after the vacancy occurs, and until his successor is elected and qualified; the successor chosen at such election shall hold office for the unexpired term and until his successor is elected and qualified. The said judge of said court shall be commissioned as the circuit judges in this State are commissioned, and shall take the oath of office prescribed by law. If in any case, civil or criminal, pending in this said court, the presiding judge thereof, for any legal cause, be incompetent to try, hear or render judgment in such case, the parties, or their attorneys of record, if it be a civil case, or the solicitor or prosecuting officer, and the defendant or defendants, if it be a criminal case, may agree upon some disinterested person practicing in the court and learned in the law, to act as a special judge to sit as a court, and to hear, decide, and render judgment in the same manner and to the same effect as such incompetent judge could have rendered but for his incompetency. If the case be a civil one, and the parties or their attorneys of record, do not agree; or if it be a criminal one, and the prosecuting officer and the defendant or defendants do not agree upon a special judge; or if either party in a civil cause is not represented in court the register in chancery or the clerk of said court, shall appoint a special judge, who shall preside, try and render judgment as herein provided. Provided, that if the clerk or register of said court shall certify to the governor that the judge of said court will be absent or disqualified or unable to hold said court for the period of more than two days, then the governor shall appoint a resident practicing attorney of said court to act and perform the duties of judge of said court until the said judge of said court shall resume his duties; and while so acting such special judge shall have and exercise all the authority, jurisdiction and powers, in

all respects, the same as the judge of said court, and such special judge shall receive as compensation for services for each day he is engaged in holding said court the same compensation as is allowed to special judges in the circuit courts of this State, which shall be paid in the same manner and out of the same funds as special judges in the circuit courts of this State are paid.

Section 3. That the salary of the judge of said Marengo law and equity court shall be three thousand dollars per annum, payable in the manner and out of the same funds as the salaries of judges of the circuit courts of this State are paid, computing the term of said judge to begin from the date of the issuance of his commission.

Section 4. That there shall be a solicitor of and for said Marengo law and equity court, who shall be appointed by the governor of Alabama within ten days after the approval of this act, whose term of office shall be four years from the date of his appointment, and in like manner such solicitor's successor shall be appointed every four years thereafter. And the solicitor so appointed by the governor shall take the oath of office prescribed by law before entering upon the discharge of any of the duties pertaining to his office, and may be impeached or removed from office for the same causes, in the same manner, and by the same tribunals as circuit solicitors are impeached or removed from office, and he shall be charged with the performance of the same duties in said court, and be subject and liable to the same penalties and liabilities in respect thereto, as by law are imposed upon circuit solicitors in like cases in the circuit courts of this State; and said solicitor shall not be allowed to represent any defendant in a criminal case in any of the courts of Marengo county during his continuance in office, nor shall any law partner of said solicitor defend any criminal case in any of the courts of Marengo county. Vacancies in the office of solicitor of said court shall be filled by appointment of the governor of Alabama, and such appointee shall

hold office for the unexpired portion of his predecessor's term, and until his successor is appointed and qualified.

Section 5. That the solicitor of and for said Marengo law and equity court shall receive a salary of eighteen hundred dollars, per annum, as compensation for his services, said salary to be paid monthly out of the Marengo law and equity court fine and forfeiture fund hereinafter provided for, upon his order drawn on the treasurer of Marengo county, computing his term of office to date from the date of the issuance of his commission and said salary shall be a preferred claim against said fund.

Section 6. That the clerk of the circuit court of Marengo county shall be ex officio clerk of the Marengo law and equity court on the law side of its docket, and shall have all the powers and shall be required to perform all the duties, and shall be subject to all the penalties and liabilities in said court, as are imposed on and required of him in like cases in said circuit court; and he shall be entitled to the same fees for services in said court as he is entitled to for like services in the circuit court, as are now, or hereafter may be, allowed by law to the clerk of said circuit court. The judge of said court shall adopt a seal for the law side of the docket of the Marengo law and equity court, which shall be kept in the custody and control of said clerk. The said clerk of this court shall have power and authority to grant all orders and do all things during term time of said court which the clerks of the circuit courts of the State may do in term time or vacation.

Section 7. That the register of the chancery court of Marengo county shall be ex-officio register of the Marengo law and equity court on the equity side of its docket, and shall have all the powers and be required to perform all the duties, and be subject to all the liabilities and penalties in said court as are imposed on and required of him in like cases in the chancery court; and said register shall be entitled to the same fees for services in the said court as he is entitled to in the chancery court, as are now, or hereafter may be, allow-

ed by law to the registers of the chancery courts in this State. The judge of said court shall adopt a seal for the equity side of the Marengo law and equity court, which shall be kept in the custody and control of said register. And said register of said court shall have power and authority to grant all orders and do all things during term time of said court which the registers of the chancery courts may do in term time or vacation. Provided, that said register, if a lawyer and otherwise qualified to practice law, may practice on the law side of said court but not on the equity side.

Section 8. That the said clerk of the circuit court and the said register of the chancery court, who are respectively, ex-officio clerk and register of said Marengo law and equity court, are, each of them, required to keep an office in the city of Demopolis, in the northern division of said court, and to appoint and keep a deputy in said office, who shall have charge of said office and keep the same open during regular business hours for the transaction of such business as may properly come before the clerk and register of said court; and the said deputy so appointed by the clerk and register of said court, respectively, shall have the same power and authority as said register and clerk, and may grant all orders and do all things, in the name of said clerk and register, as they could or should do in person, and shall be subject to the same duties and penalties as such clerk and register. Provided, that said clerk and register may, if they desire, appoint one and the same person to act as their deputy, but they are not required to do so.

Section 9. That there shall be two terms of said Marengo law and equity court during each year. The first term of said court shall begin on the first Monday in August, 1907, and continue until the first Monday in January, 1908; and, thereafter, beginning with the first Monday in January, 1908, the regular terms of said court shall be as follows: The first term shall begin on the first Monday in January of each year and shall continue until the first Monday in July following; and the second term shall begin on the first Monday in

July in each year and shall continue until the first Monday in January following; provided, that during the regular terms of said court the judge thereof may adjourn the court and take such recesses from time to time as to him may seem proper.

Section 10. That there shall be two divisions of said Marengo law and equity court, to be known as the "Northern Division" and the "Southern Division," respectively. That the "Northern Division" of said court shall embrace that portion of the territory of Marengo county included within the following precincts of said county as now organized, to-wit: Macon precinct, Demopolis precinct, Old Spring Hill precinct, Dayton precinct and Faunsdale precinct. The "Southern Division" of said court shall embrace all the territory of Marengo county as now organized that is not embraced and included in the "Northern Division" of said court, as above set out. Court shall be held in the "Southern Division" of said court at the court house, in the town of Linden; and court shall be held in the "Northern Division" of said court in the city of Demopolis, in Demopolis precinct, at such place therein as the judge of said court may designate and select, provided, that the city of Demopolis must provide and furnish, without cost and expense to Marengo county, suitable and necessary buildings in which to hold said court, and for the safe keeping of the prisoners and the records of said court and the necessary offices for the officers of said court.

Section 11. All actions, except actions for the recovery of land, or the possession thereof, or for a trespass thereto, must be brought in the division of said Marengo law and equity court in which the defendant, or one of the defendants, resides, if such defendant has within either division of said court a permanent residence; all actions for the recovery of land, or the possession thereof, or for a trespass thereto, must be brought in the division of said court in which the land lies; and a foreign or domestic corporation may be sued in either division of said court where it does business by agent. A summons issuing contrary to the provisions of this section shall be abated on the plea of the defendant.

Section 12. That the judge of said Marengo law and equity court shall be required to hold court in the "Southern Division" of said court once during each month, except during the months of May and November, commencing on the first Monday of each month and continuing until the business of the court is disposed of; provided, that he shall not be required to hold court longer than two weeks during any one of said months except during the months of February and September, during which said months court may be held for four weeks, if the business of the court require and in the opinion of the presiding judge it is necessary. And that the judge of said Marengo law and equity court shall be required to hold court in the "Northern Division" of said court once during each month, except during the months of February, May, September and November, commencing on the third Monday in each month; provided, that he shall not be required to hold court longer than two weeks during any one month. And provided further, that no jury terms of said court shall be held in the "Northern Division" of said court, but shall be held at the court house, in the town of Linden, and all cases arising or brought in the "Northern Division" of said court, wherein jury trials are required or demanded, shall be tried by jury at the said court house, in the town of Linden; but nothing herein contained shall be deemed or taken to prevent the settling of all pleadings and the making up of the issues in cases arising or brought in the "Northern Division" of said court, at Demopolis wherein jury trials are required or demanded.

Section 13. That there shall be a grand jury for each term of said court, which shall be empaneled on the first Monday in September, and on the first Monday in February, of each year, and shall continue in session until the business coming before it shall be disposed of, and such grand juries shall have power and authority, and it shall be its duty to investigate all matters and make all recommendations which grand juries of the circuit courts have authority to do or make. The judge of said court shall have authority, whenever he shall

deem it expedient, after any grand jury has been discharged, and before the summoning of the next succeeding grand jury, to cause to be entered on the minutes an order, requiring the sheriff to re-summon the persons who have last served as grand jurors in said court, which order the sheriff must immediately execute, and the persons must attend and serve as grand jurors, and from the persons so attending, with such others as may be necessary to supply any deficiency (to be summoned and drawn as in other cases) a special grand jury must be organized, sworn and charged as in other cases, and it shall be the duty of such special grand jury to investigate such offenses as may be brought to their attention and proceed thereon as a regular grand jury. There shall be petit jurors for the trial of causes in said court, who shall be drawn, summoned and impaneled in the same manner as is now or may be hereafter provided by law for drawing and impaneling petit jurors for the circuit court of Marengo county; and venires for grand and petit jurors shall be issued not less than twenty days before the day upon which said jurors are drawn to serve, and in the same manner as they are issued in and for said circuit court of Marengo county. And said Marengo law and equity court shall have the same power and authority as the circuit court to order special venires and to summon, swear and impanel tales jurors; provided, that the judge of said Marengo law and equity court shall have the power and authority to direct for what week or weeks of the term petit jurors shall be summoned, and direct which of the jury weeks of any term shall be devoted to the trial of civil, and which to the trial of criminal cases, and may direct any jury case to be heard during any week of said court. And whenever any trial has commenced before a jury and cannot be completed during the week in which the same was commenced, then such trial shall be continued into the next week and until the case is ended; provided, the juries for the trial of capital cases shall be drawn, summoned and impaneled, as is now or may hereafter be provided for by law for drawing, summoning and impaneling juries for the

trial of capital cases in the circuit court of Marengo county. All laws relating to the qualifications, competency, exemptions, objections to, challenging, drawing, summoning, organizing, swearing and arranging of grand and petit juries, talesmen, special petit juries in capital cases, and special grand and petit juries, and regular juries at special terms, and all laws relating to indictments, excusing jurors, objections to jurors, grand and petit juries, and to the organization of grand and petit juries, and to proceedings against defaulting jurors, applying to the circuit court of Marengo county, shall apply to this said court as far as practicable and not in conflict with the provisions of this act. The board of jury commissioners for Marengo county is hereby made the jury commission for this said court, and said board of jury commissioners are hereby required, and it is hereby made their duty, to draw the necessary grand and petit juries for this said court, as is herein provided for, and to do and perform all things necessary and proper in the matter of drawing juries for this said court. There shall be at least two petit jury terms of said court, the first to begin on the first Monday in September of each year, and may continue four weeks; and the second shall begin on the first Monday in February in each year, and may continue four weeks; provided, that the first petit jury term of said court shall be held on the first Monday in September, 1907, and may continue four weeks. And it shall be the duty of the jury commission, charged with drawing juries for said court, to meet at the court house in Linden on the first Monday in January and on the first Monday in August of each year, and draw the necessary grand and petit juries for the jury term of said court next following the day on which said meeting is had, that is to say: at the meeting to be held in January, the juries for the jury term to be held in the February following shall be drawn; and at the meeting to be held in August, the juries for the jury term to be held in September following shall be drawn; provided, that the first meeting of said jury commission, for the purpose of drawing juries for said court shall be held

on the first Monday in August, 1907, at which time the juries for the jury term to be held in September, 1907, shall be drawn. But nothing herein contained shall prevent the judge of said court from holding special jury terms of said court, or prevent said judge from dispensing with juries drawn for any regular term of said court when in his opinion the public good requires. All jury terms of said court shall be held, and all cases in which a jury trial is required or demanded (whether in the northern division or southern division of said court) shall be had, at the court house in Linden; provided, that in all cases brought in the northern division of said court in which a jury trial is required or demanded, the pleadings shall be settled and the issues made up before the judge in chambers at Demopolis.

Section 14. That in cases of misdemeanors the judge of said Marengo law and equity court shall try the law and the fact except when trial by jury is demanded by the defendant, in writing, filed with the clerk of said court, on his first appearance before the judge of said court; and in the event a trial by jury is so demanded, it shall be the duty of the judge to require the defendant to enter into bond, with good and sufficient sureties in such sum as said judge shall fix, conditioned for his appearance at the next term of said court at which a jury will be impaneled, unless he elect in the meantime to perform hard labor for the county, as provided by law; and a failure of the defendant to demand a jury trial on his first appearance before the judge of said court as herein provided, shall be deemed and held to be a waiver of the right of trial by jury.

Section 15. That the sheriff of Marengo county shall be in person or by deputy required to attend said Marengo law and equity court, to preserve order and execute its processes, and perform such other duties in all respects as in the circuit and chancery court of this State and he shall furnish all such other subordinate officers as may be necessary to expedite the business of said court, the same as he is now required to do under the laws governing him as an officer of the circuit and chancery courts of the State. The sheriff shall be re-

quired to have an office in the city of Demopolis, in the "Northern Division" of said court, and to appoint a deputy for said division, who shall reside in the city of Demopolis during his term of office. Said sheriff and his legally appointed deputy shall have all the powers, and perform all the duties, and do all the things during term time of said court that sheriffs and their deputies in this State may do in term time or vacation.

Section 16. That all records, books, papers and files relating or pertaining to the "Northern Division" of said court shall be kept by the clerk, register and sheriff of said court in the city of Demopolis in some proper and secure place; and all records, books, papers and files relating or pertaining to the "Southern Division" of said court shall be kept in the court house at Linden.

Section 17. That whenever for any cause whatsoever a grand or petit jury shall be quashed in the Marengo law and equity court, or have failed to be drawn and summoned, or, if drawn and summoned, shall fail to attend, the court may forthwith order the sheriff to summon from the qualified residents of the county a jury or juries to serve for any time which may be specified or ordered by the court; and such jury so summoned and impaneled shall be competent and valid to try all cases pending in said court, and to perform all jury duties, as if such juries had been regularly drawn and summoned for said court.

Section 18. That sales of real estate made under process issuing out of said Marengo law and equity court may be made on any day of the week or month except Sunday; provided, that all sales under process issued out of the "Southern Division" of said court shall be made in front of the court house door at Linden, and all sales under process issued out of the said "Northern Division" of said court shall be made in front of the post office door in the city of Demopolis. The same notices of sales must be given as in like case in the circuit and chancery courts of this State.

Section 19. That, except as otherwise provided herein, when a person has been indicted in the said Ma-

rengo law and equity court, the circuit court shall not entertain jurisdiction of said case; and when such indictment has been found in the circuit court, the said Marengo law and equity court shall not entertain jurisdiction of such case except upon the transfer thereof into said court, as herein provided for; it shall be the duty of the solicitor of the said Marengo law and equity court to notify the circuit solicitor of all indictments and prosecutions commenced or pending in said Marengo law and equity court.

Section 20. That any person charged with the commission of a misdemeanor may be tried by the Marengo law and equity court upon information, and the proceeding in such cases shall be the same as now provided by law for trials upon information in the county courts under the general laws of the State; provided, that the clerk of said court and his deputies shall have, and they are hereby given the right, power and authority to take and receive complaints and affidavits and issue warrants of arrest the same in all respects as the judge of said court may do, and as the judges of the county courts are authorized to do, and all such warrants of arrest shall be made returnable into and before the Marengo law and equity court. And it is hereby made the duty of the clerk of said court and his deputies, when applied to to issue a warrant of arrest as herein provided for, and before issuing the same, to consult the solicitor of said court or his assistant, if either of them be present or accessible, in order to ascertain if the facts deposed to justify the issuance of the warrant of arrest. Appeals may be taken from the convictions in said court under this section directly to the supreme court in the same way and in the same cases as such appeals are taken thereto from judgments of conviction in the circuit court of Marengo county. Any person prosecuted under this section may, if he desire a trial by jury, demand the same in writing filed with the clerk of said court on his first appearance before the judge of said court, and it shall then be the duty of said judge to require him to enter into bond, with good and sufficient sureties in such sum as said

judge shall fix, conditioned for his appearance at the next term of said court at which a jury will be empanelled, unless he elect in the meantime to perform hard labor for the county as provided by law. It shall be the duty of the solicitor of said court to represent the state in all prosecutions under this section. The failure of the defendant to demand a jury trial on his first appearance before the judge of said court as herein provided, shall be deemed and held to be a waiver of the right of a trial by jury.

Section 21. The fees of officers of the Marengo Law and Equity Court for services rendered (except the salaries of the judge and solicitor), and the compensation of jurors and witnesses therein, shall be the same as are now, or hereafter may be, allowed for like services in the circuit and chancery courts of Marengo county, and shall be paid out of the Marengo Law and Equity Court Fine and Forfeiture Fund, hereinafter provided for; provided, that all witnesses upon said court must prove their attendance within five days after the trial of the cause in which they were subpoenaed or called to testify, otherwise their fees shall not be taxed as costs, nor shall they be recoverable against any party. And such officers and witnesses shall be subject to the same penalties and liabilities as when acting and attending under authority of the circuit and chancery courts of the state. The fees of bailiffs in said court, as well as all fees in criminal cases in said court due the clerk, sheriff and state witnesses, which become fine and forfeiture claims under the general laws of the state, shall be registered against the Marengo Law and Equity Court Fine and Forfeiture Fund, within the time and in the manner now prescribed for the registering claims against the fine and forfeiture fund in the circuit court of Marengo county, and shall be paid for only out of the Marengo Law and Equity Court Fine and Forfeiture Fund according to the order in which the same shall have been registered. And the expenses of said Marengo Law and Equity Court shall be paid out of the said Marengo Law and Equity Court Fine and Forfeiture Fund in the same

manner and on the same terms and conditions as the expenses of the circuit court of Marengo county are paid; provided, this section shall not apply to the payment of the compensation of grand and petit jurors in said court, and said grand and petit jurors shall be paid out of the general funds of Marengo county in the same manner and on the same conditions as grand and petit jurors of the circuit court of said county are paid.

Section 22. That in all civil cases at law commenced in said Marengo Law and Equity Court by summons and complaint, the defendants shall be required to appear and demur or plead to the complaint within twenty days after service of said summons and complaint upon them, whether such service be in term time or vacation; and in all cases at law commenced by attachment, the plaintiff must file his complaint within ten days after suing out the attachment, and the defendant must appear and demur, plead or file his motion thereto within twenty days after levy of the attachment and notice thereof given in writing to him as required by law in attachment cases in the circuit court; or in case the action is against a non-resident or other person upon whom service may be had by publication, within twenty days after service has been perfected by publication; and, in all other cases, at law the defendant must appear and plead or demur within twenty days after perfection of service upon him and in all cases at law, if the defendant shall fail for twenty days after the perfection of service upon him, to appear and plead or demur, he shall be held to be in default, and at any time thereafter a judgment by default may be entered against him on motion of the plaintiff; provided, however, that the court may, for good and sufficient cause shown, allow such judgment so obtained by default to be set aside, and demurrers or pleas to be filed on such terms as the court may impose; provided, that no application to set aside such judgment by default, unless it be for some reversible error committed in the rendition thereof, shall be entertained by the defendant, his agent or attorney, to the effect

that in the honest belief of affiant the defendant has a meritorious defense to the action. All motions to set aside judgments by default must be filed within thirty days after the rendition of such judgment.

Section 23. That all garnishments issued out of the Marengo Law and Equity Court shall require an answer thereto within twenty days after service thereof; and upon failure of any garnishee to make an answer to the writ of garnishment within twenty days after service of same upon him, a judgment nisi may be entered against such garnishee on motion of the plaintiff, if the plaintiff be otherwise entitled to a judgment nisi; and unless otherwise ordered by the court, all citations, rules, orders, writs of scire facias and notices of any kind issuing out of said court shall require the party against who issued to appear, and plead, demur or answer thereto within twenty days after service thereof, or the perfection of service thereof by publication; and all cases at law whether begun by summons and complaint, attachment or otherwise, shall be deemed and taken to be at issue and triable upon the appearance and pleading of the defendant thereto, of if the defendant does not appear within the said twenty days herein prescribed, then at the termination of said twenty days.

Section 24. That in all civil cases at law in said Marengo Law and Equity Court the issues and questions of fact shall be tried by the court without the intervention of a jury, unless a jury be demanded by the plaintiff at the commencement of the suit, or by the defendant at the time he enters an appearance therein, or by any other party interested in such suit at the time of his appearance; and such demand for a jury must be made by the plaintiff or the person occupying the position of plaintiff by endorsing said demand upon the summons and complaint, petition, claim or other paper filed by him for the purpose of instituting the suit, or when he intervenes without suing out process, upon the pleading or paper filed by him for the purpose of presenting his claim or right in such suit; and such demand for a jury made by the defendant,

or other party occupying the position of a defendant, including garnishees, by endorsing such demand upon the demurrer, plea, answer or other paper first filed in the case by him; and when a case is transferred from the circuit court to this said court, it shall be tried by the court without a jury, unless at the time application is made for such transfer, a demand for trial by jury be made in writing and filed in the case; and said court shall, without a jury, try all cases brought to said court by appeal or certiorari from justices of the peace and other inferior courts, unless a demand for trial by jury be made in writing and filed in the case by the appellant at the time he sues out such appeal and certiorari, or the same is granted, or by the appellee within ten days after he has been served with notice of the granting of such appeal or certiorari; and any failure to demand a trial by jury as herein prescribed and directed shall be deemed and taken as a waiver of the right to have a trial by jury. Provided, that when a case has been tried by the court without a jury and a new trial has been granted by the court, or the case has been reversed and remanded on an appeal to the supreme court, either party may demand a trial by jury, and such demand being made not later than the first sounding of the docket containing said case thereafter. In all cases tried by the court without a jury, the court shall make a special finding of the facts therein, if so requested by a party to such cause at the time the trial is entered upon, and shall reduce such special finding to writing and file same in said case; and upon an appeal to the supreme court such special finding shall have no greater weight than other findings of said court made under the provisions of this act.

Section 25. That in the trial of any case without a jury in said Marengo Law and Equity Court, in addition to the questions which may be under existing laws presented to the supreme court for review, either party may also by bill of exceptions present for review in said court the conclusions and judgments of said court on the evidence, and the same shall be reviewed by said supreme court without the indulgence of any presumption

in favor of the court below upon the evidence, and if there be error, said supreme court shall render such judgment in the case as the court below should have rendered, or shall reverse and remand the cause for further proceedings, as to said supreme court may deem right and proper.

Section 26. That in all civil cases at law in the said Marengo Law and Equity Court, the judge thereof may set down any case for hearing on the pleadings alone, and render judgment thereon in term time or during vacation, and from such judgment or ruling on the pleadings an appeal shall lie to the supreme court to be taken within thirty days after such judgment or ruling is rendered; but nothing herein contained shall prevent such judgment from being assigned as error upon an appeal taken to said court after the final determination of said case, if an appeal shall not have been taken under this section.

Section 27. That all misdemeanors returned by municipal, justices of the peace or other inferior courts, or appeals from such courts, to the said Marengo Law and Equity Court shall be tried upon the complaint of the solicitor of said court filed in such cases, which complaint shall be in the form substantially as now required by law of circuit solicitors, and which complaints shall be subject to amendment.

Section 28. That the supreme court shall have appellate and supervisory jurisdiction over said Marengo Law and Equity Court, and cases at law and in equity may be appealed or removed to said court in the same manner and under the same rules and regulations, not herein otherwise provided, as cases are repealed or removed thereto from the circuit and chancery courts of the State, and the appellate or supervisory jurisdiction of said supreme court over the Marengo Law and Equity Court shall be exercised over said court and the judgments thereof in the same manner as in like cases over the said circuit and chancery courts and the judges and chancellors thereof. Provided, that no appeal can be taken from said Marengo Law and Equity Court to either the circuit or chancery court of Marengo county.

Was read a third time, at length and passed.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	Pearson
Alford	Elrod	Pitts (Dallas)
Armstrong	Glover	Pitts (Perry)
Arnold	Haley	Powell (Bullock)
Avery	Hoffman	Power
Ballard (Pike)	Jenkins	Price
Baltzell	John	Pugh
Barton	Jones	Rattray
Benners	Kornegay	Rice
Benson	Lacy (Dallas)	Rowe
Bloch	Lacy (Walker)	Sample
Brown	Lancaster	Sanders
Bulger	Long (Butler)	Seale
Burney	Long (Morgan)	Smith (Elmore)
Carmichael (Clay)	Lovelsdy	Smith (Etowah)
Coleman (Lowndes)	Malone	Smith (Franklin)
Coleman (Marshall)	Mitchell	Steagall
Cranford	Moore	Turner
Doyle (Clark)	McDuffie	Urquhart
Doyle (Marengo)	Parker	White (Lamar)

—60.

ADJOURNMENT.

On motion of Mr. Hughston the House adjourned until 8:30 o'clock Tuesday morning.

FORTIETH DAY.

House of Representatives,

Tuesday, July 16, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Malone of the House.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Dudley	Long (Butler)
Alford	Edwards	Long (Morgan)
Altman	Elrod	Lovelady
Armstrong	Foster	Lyons
Arnold	Fuller	Malone
Arrington	Glover	Maner
Avery	Goodwyn	Middleton
Ballard (Autauga)	Gunter	Mitchell
Ballard (Pike)	Haley	Moore
Baltzell	Henley	McCrory
Barton	Hoffman	McDuffie
Benners	Hughston	McMillan
Benson	Jenkins	Norville
Bloch	John	Oliver
Brown	Johnson	Parker
Bulger	Killen	Pearson
Burney	Kirby	Peete
Cannon	Kornegay	Pitts (Dallas)
Carmichael (Clay)	Lacy (Dallas)	Pitts (Perry)
Coleman (Lowndes)	Lacy (Walker)	Powell (Bullock)
Coleman (Marshall)	Lancaster	Powell (Covington)
Cooper	Lawson	Pratt
Cranford	Lee (Barbour)	Price
Crum	Lee (Etowah)	Ragsdale
Doyle (Clark)	Lee (Houston)	Rainer
Doyle (Marengo)	Lindsey	Rattray

Rice	Smith (Elmore)	Turner
Rowe	Smith (Lee)	Vann
Rushton	Smith (Etowah)	Weaver
Sample	Smith (Franklin)	White (Lamar)
Sanders	Steagall	White (Perry)
Sanford	Thompson	Williams
Seale	Tunstall	Woolf
Sherrod		

—100.

A quorum was present.

JOURNAL.

The chairman of the revision of the Journal made the following report:

Mr. Speaker:

Your committee on the revision of the Journal begs leave to report as follows:

We have examined the Journal for the thirty-ninth day and find the same to be correct.

H. B. Steagall,
Chairman.

The report of the committee was concurred in, and the Journal of the thirty-ninth day was approved.

LEAVE OF ABSENCE.

Was granted to Messrs. Power, Pugh, Urquhart indefinitely and Jones for today.

PRIVILEGES OF THE FLOOR.

Were granted to Hon. George H. Malone of Dothan, for today; Hon. R. M. Cunningham, of Ensley, for today; General Stephen D. Lee, of Mississippi, for today and to Hon. R. L. Johnson, of Tallapoosa, for today.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate insists on its amendments to House Bill No. 25. H. 25. To define corrupt solicitation of Leg-

islators and provide adequate punishment therefor and the means to effectually enforce this act, and requests a committee of conference on the disagreement of the two houses on said amendments.

Committee on the part of the Senate: Messrs. Miller, Merritt and Lusk.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The House acceded to the request of the Senate, on the disagreement of the two houses on the Senate amendment to the bill H. 25, and the speaker named on committee of conference, Messrs. John, Fuller and Foster.

REPORT OF RULES COMMITTEE.

Mr. John from the standing committee on rules returned to the House the following resolutions with a favorable report:

H. R. No. 247. By Mr. John.

Resolved, that House Bill to adopt a code of the State of Alabama and House Bill to provide for the publication of the code, be made special continuing and paramount order for Wednesday, July 16, immediately after the report of the committee on revision of the Journal in preference to all other special orders.

And the resolution was adopted.

H. R. No. 248. By Mr. John.

Resolved, That the several committees shall meet and determine which bills reported favorably by the committee are of the most importance, and the order of their merit, and report to the speaker, who shall lay these reports before the committee on rules, which is hereby instructed to arrange from these reports a select calendar of the general bills of the greatest value to the State.

And the resolution was lost.

RECOMMITTAL OF BILL.

On motion of Mr. John, the bill,

H. 558. To regulate the employment of children in factories and manufacturing establishments in this State; to provide for inspection of factories and manufacturing establishments, for the enforcement of said regulations and for the punishment of violations thereof.

Was recommitted to the standing committee on mining and manufacturing, without losing its place on the calendar.

On motion of Mr. Steagall, the rules were suspended, so that Mr. King could be appointed on the committee to investigate the charges against the Insane Hospital, if the speaker saw fit to appoint him.

Mr. Ballard, of Autauga, on behalf of the Troy Normal College presented Speaker Carmichael with a gavel made by the students of the school.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on engrossed bills begs leave to report that it has examined and found correctly engrossed the following bills:

H. 55. To provide for the exclusion from the court room of all persons, except such as may be necessary, in the conduct of the trial, in prosecutions for rape, assault with intent to ravish, seduction and incest.

H. 223. To repeal an act entitled an act to increase the criminal jurisdiction of justices of the peace and notaries public having like powers in Marion county and other counties, approved February 8, 1877, so far as the same relates to Marion county.

H. 239. To repeal an act entitled an act to repeal section 1017 and section 1018 of the revised code of 1896, in so far as the same relates to Calhoun, Mobile, Etowah and Marion counties, approved March 1, 1901, so far as the same relates to Marion county.

H. 271. To prevent the removal of ginners tags from cotton bales and to provide a penalty therefor.

H. 421. Providing for the survey and analysis and classification of soils of the State.

H. 513. To fix the salary of the clerk of the adjutant general and to make appropriation for same.

H. 590. To amend an act entitled an act to amend section 4730 of the criminal code of 1896, approved October 1st, 1903.

H. 798. To refund and pay back to the town of Camp Hill certain dispensary State license money collected **and paid into the State treasury** under and by virtue of the provisions of an act entitled an act to better provide for the revenue of this State, approved March 4th, 1903, for the privilege of operating a dispensary in the town of Camp Hill under an act entitled an act to establish and maintain and regulate a dispensary in the town of Camp Hill, Tallapoosa county, Alabama, approved September 26, 1903, which said act was declared unconstitutional and void, and said dispensary closed and not operated after the 31st day of March, 1904.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on enrolled bills have examined the following House bill and joint resolution and beg leave to report the same correctly enrolled:

H. 692. An act to amend sections 6, 9, 10, 16, 17, 19 and 20 of an act entitled "An act to provide for the redistricting of the public schools of the State and for the management and control of the same, approved September 30, 1903.

H. J. R. 212. Joint resolution relative to the funeral expenses of the late Speaker Wm. L. Martin.

H. J. R. 217. Joint resolution relative to the installation of an elevator in the capitol.

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two thirds vote of a quorum present, signed the bill, H. 692 and S. J. R. Nos. 212 and 217, whose titles are set out in the above and foregoing report from the standing committee on enrolled bills.

BILLS ON SECOND READING.

Mr. John, chairman of the standing committee on judiciary, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report:

H. 550. To establish in precinct 33 of Jefferson county, Alabama, an inferior court in lieu of all just-powers of justices of the peace and jurisdiction of justices of the peace in said precinct, said inferior court to be known and called the inferior court of Bessemer, which shall be held in the city of Bessemer in said precinct 33, to define the jurisdiction and powers of said court, to provide for the appointment and election of a judge for said court, his salary and duties as such judge and fix and prescribe his duties and qualifications, to provide for the appointment of a clerk for said court, fix and prescribe his fees, salary or compensation, duties and qualification and term of office, provide for the term of office for the judge of said court; provide for and fix the manner and means of providing for expenses of running and maintaining said court, by allowing the board of revenue of said county to provide and allow and arrange rooms and building or rooms for holding said court; to designate the collecting, placing and disbursing fees, costs and all fines and forfeitures collected by said court and accruing to said court; provide for and repeal all justices of the peace and notary public exercising the powers and jurisdiction of justices of the peace in said precinct thirty-three of said county.

H. 832. To vacate the dedication of all that part of Charles Avenue lying north and east of the eastern line of Twelfth Street as now located between avenues "H" and "I" in the city of Birmingham, Jefferson county, Alabama, and which was dedicated as a public highway.

H. 864. To regulate the practice and procedure of opening and vacating judgments confessed under power of attorney in notes and other instruments authorizing the confession of judgment against the maker or obligor, and the staying of execution thereon.

H. 930. To regulate the administration of the affairs of any municipal corporation which has been absorbed, or its government extinguished by the alteration or rearrangement of the boundary lines of another city or town.

H. 931. To regulate cities that alter or re-arrange their boundary lines so as to absorb one or more cities or towns, or extinguish the government of one or more cities or towns.

H. 936. To propose an amendment to the constitution of the State of Alabama for the purpose of providing for the formation and establishing of new counties out of portions of one, two or more counties as may be desired.

H. 939. To adopt a code of laws for the State of Alabama.

H. 940. To provide for the publication and distribution of the code of Alabama and the acts of the Legislature.

H. 941. To provide for and regulate the selection, drawing and empanelling of grand and petit juries in all the courts of this State.

H. 942. To propose amendments to section 194 of the constitution.

H. 953. To provide how the salaries of circuit judges whose salaries are partly paid by the counties in which said judges hold court shall be paid.

H. 955. To amend an act entitled an act to regulate the city court of Birmingham in the practice and procedure in said court; to provide for judges thereof, their

election, term of office, removal, power and salary; for the election, term of office, bond, removal, and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery and other supplies for the holding of said court, approved February 26th, 1907.

H. 956. To provide for the appointment by the judges of the city court of Birmingham, of the necessary bailiffs for said court and to fix the duties, liabilities and compensation of said bailiffs and to provide for the payment of their compensation.

H. 966. To amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26th, 1907.

H. 965. To fix the time and place of holding the chancery court in the eighth district of the Northern Division, composed of the county of Madison.

H. 983. To establish a board of commissioners for the promotion of uniformity of legislation in the United States.

H. 984. To fix the salary of the associate judge of the city court of Montgomery.

H. 1035. To provide for the election of a county solicitor for Wilcox county, to define his duties and fix his compensation.

H. 1037. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county or other authorized agents of said county, borrowing money for the use and benefit of said county and to ratify and confirm the warrants given for money so borrowed, and for the interest thereon, and for warrants heretofore issued for said purpose.

H. 1042. To repeal an act entitled "an act to increase the number of grand and petit jurors in Winston county," approved February 7th, 1885.

H. 1043. To repeal section two and three of an act "entitled an act to repeal an act to increase the number of grand and petit jurors in Winston county and to provide and designate the number of petit jurors drawn in said county," approved Dec. 10, 1886.

H. 1050. To prescribe the duties, fix the fees and commissions of the deputy solicitor of Escambia county, Alabama, and make disposition of the residue of the fees and commissions earned by such solicitor.

H. 1052. To amend sections 4580 and 4581 of the code of 1896.

H. 1070. To make subject to enforcement by the courts of this State any liability incurred in another State which is subject to enforcement in such other State.

H. 1075. To amend section 809 of the code of 1896.

H. 1101. To amend an act entitled an act to fix the times and places of holding circuit court in the seventh judicial circuit, approved Oct. 3, 1903.

H. 1126. To amend section 28 of an act entitled "an act to establish the city court of Bessemer," approved February 28th, 1901.

H. 1131. To provide for the care and preservation of the lands of "The Alabama Insane Hospitals," and to require the trustees to convey to the corporation their title thereto and to provide for the issuance of patents direct to the purchaser from the Alabama Insane Hospital, or to the corporation, and to protect the lands from illegal sales for taxes.

H. 1132. To amend section 8 of an act entitled "an act to confer and limit the powers of business corporations and to provide for their organization and regulation," approved October 2, 1903.

H. 1133. To authorize cities in the State of Alabama having, according to the next preceding federal census, a population of more than thirty-five thousand, to compel the construction and maintenance of bridges, viaducts and tunnels and their approaches, over, under or across railroad tracks within the city limits, and to provide for defraying the expense of the same.

H. 1157. To prohibit judges of probate and other persons from cancelling mortgages, deeds of trust, or other instruments of like character, conveying real estate in this State, except when thereunto duly authorized by written power of attorney of the mortgagee, or his assignee or transferee, and to require such power

of attorney to be recorded in the probate office where such mortgages, deeds of trust, or other instruments of like character are recorded, and to provide fees therefor.

H. 1163. To authorize the district trustees of any school district in the State of Alabama to condemn lands for use of public schools of any school district.

H. 1167. To prohibit pools, trusts, monopolies and conspiracies to control business and prices of articles; to prevent the formation or operation of pools, trusts, monopolies and combinations of charters of corporatins that violates the terms of this act, and to authorize the institution of prosecutions and suits therefor.

H. 1204. To regulate actions for libel in the State of Alabama.

H. 1162. To amend an act entitled an act to provide for holding separate terms of the circuit court for Coffee county in the Twelfth judicial circuit at Enterprise, for the following portions of Coffee county, to-wit: Township 3, range 22; township 4, range 22; township 5, range 22; township 3, range 21; township 4, range 21; the east one half of township 3, range 20; the following sections in township four, range 20, to-wit: 13, 22, 23, 24, 25, 26, 27, 34, 35, 36; and all that portion of the territory in township 6, range 22; township 7, range 22; township 5, range 21; township 6, range 21, lying south of Pea river, and to regulate the holding of such court; to provide buildings and accommodations therefor, making its jurisdiction within such district exclusive of the jurisdiction it exercises when sitting at Elba, in said county of Coffee; defining the powers of the judge and clerk thereof, and regulating the drawing of its grand and petit jurors, and providing for the transfer of causes from the circuit court at Elba to said court held at Enterprise and from the latter to the former, approved February 28th, 1907.

H. 1168. To amend sections 6 and 7 of an act entitled "an act to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers, their powers, duties and compensation; to fix the terms of said court; and to prescribe

rules and procedure for said court," approved February 23d, 1907.

H. 1169. To establish an inferior court in precinct No. 10 in Morgan county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, and to define the jurisdiction and powers of said court and the judge thereof.

H. 1203. To regulate civil actions for libel against the publisher or publishers of newspapers, magazines and periodicals in the State of Alabama.

H. 1207. To allow judges to require witnesses in criminal cases to enter into bond for their appearance on the trial of such cases.

H. 1209. To give to certified transcripts of validly executed instruments not properly acknowledged or proved, but that have been of record for twenty years, the same force and effect as transcripts of like instruments duly acknowledged and recorded.

H. 1210. To repeal section 1 of an act to increase the criminal jurisdiction of justices of the peace in the counties of Limestone, Marion, Greene and Marshall, approved February 12, 1879, so far as Marion county is concerned; and to provide that justices of the peace of Marion county shall have and exercise the jurisdiction given by the code and general laws of the State.

Mr. John, chairman of the standing committee on judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with an amendment.

H. 785. (With amendment.) To prescribe a qualification for coroners in counties of fifty thousand population and over.

H. 900. (With amendment.) To amend sections 2, 3, 6, 10, 11 (as amended March 2, 1901,) 12, and 18 (as amended March 2, 1901) of "an act to establish a county court for the county of Clay," approved Dec. 13, 1898.

H. 944. (With amendment.) To amend section 3866 of the code of Alabama.

H. 1041. (With amendment.) To increase and fix the compensation of jurors, grand and petit, who serve in the circuit court of Winston county.

H. 1144. (With amendment.) To amend article 1 of chapter 109 of the code of Alabama of 1896.

H. 1178. (With amendment.) To establish and regulate the Sylacauga division of the circuit court of Talladega county, confer upon it chancery jurisdiction, define the territorial limits of its jurisdiction, fix the time and place for holding said court, provide for drawing and empaneling juries therein and prescribe the liability of persons residing within its territorial jurisdiction to jury service and the rules of procedure in said court.

H. 1193. (With amendment.) To authorize the governor, the State auditor and treasurer, to retire Alabama bonds whenever in their judgment the condition of the treasury will permit.

Mr. Pitts, of Dallas, chairman of the standing committee on revision of laws, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report.

H. 996. To amend section (4596) of the code of 1896.

H. 1088. To ratify and confirm all elections held under the act approved September 29, 1903, (Acts 1903, page 431) providing for the establishment of stock law districts where said elections and the proceedings to obtain the same have been irregular.

H. 1180. To repeal an act entitled an act to establish an immigration board for the State of Alabama, to define its duties, to appropriate money to pay the expenses for carrying out its provisions, to provide for the appointment of an immigration commissioner, to define his duties and to fix his compensation. Approved March 4th, 1907.

H. 1113. To provide for holding one week of each term of the circuit court of Geneva county at Hartford, Alabama; to prescribe the jurisdiction thereof, and regulate the proceedings therein, and to provide a place for holding the same in said town.

H. 1114. To provide for holding a part of the county court of Geneva county, Alabama, at Hartford in said

county; to prescribe the jurisdiction thereof and regulate the proceedings therein.

H. 1115. To require the judge of probate of Geneva county, Alabama, to keep an office at Hartford and to provide for recording therein deeds, deeds of trust, mortgages, or instruments in the nature of a mortgage, or other instrument authorized or required by law to be recorded.

H. 1116. To provide for an election to remove the county seat of Geneva county, Alabama, from the town of Geneva to the town of Hartford, if a majority of the qualified electors of said county at such election shall vote for such removal, and to provide for changing the county seat, and the erection of necessary county buildings and offices.

H. 1096. To amend section 4325 of the code of 1896.

H. 1108. To amend section 1 of an act entitled an act for the relief of needy Confederate soldiers and sailors resident citizens of Alabama and their widows. Approved February 10th, 1899.

H. 1097. To amend section 9 of an act, approved March 7, 1907, entitled "an act to further amend the revenue laws of the State of Alabama.

H. 1176. Defining the crime of burglary with explosives and providing the punishment therefor.

H. 1220. To amend sections two (2) and three (3) of an act entitled "an act to amend sections 897 and 911 of chapter 19, article 1 of the code of Alabama. Approved March 6th, 1907.

H. 1184. To amend an act entitled an act to prevent the running at large of stock in certain portions of Elmore county, approved February 18th, 1891.

H. 1119. To declare the ownership of all books of record, all books of every character kept by any officer of the circuit court of Henry county at Dothan and Columbia, and all papers of every character pertaining to any cause, civil or criminal, theretofore disposed of, or pending or originating in said courts and not finally disposed of, including indictments where no arrests had been made, at the time of the organization of the county of Houston to be the property of Houston county and

same to be kept in the office of the clerk of the circuit court of Houston county; to give the circuit court of Houston county jurisdiction of all such causes, civil or criminal, including indictments, where no arrest had been made at the time of the organization of said Houston county, except where the defendant was at the time of the commission of the offense alleged, in what is now Henry county, in which latter event the circuit court of Henry county shall have jurisdiction of the offense; to prescribe the duties and powers of the clerk of the circuit court of Houston county and of the sheriffs of their respective counties with reference to the issuance of process and the execution thereof in such causes, and to ratify and confirm all orders and judgments and proceedings of the circuit courts of Henry and Houston counties in any of said causes, and the acts of the clerks of the circuit courts of said counties and of the sheriffs of their respective counties, within their powers and duties, in and about any of said causes, including the issuance of capias and arrests thereon, on indictments returned to said circuit courts of Henry county at Dothan and Columbia, and to declare same of legal force and effect the same as though such cases had originated in said circuit courts of Houston or Henry counties.

Mr. Pitts, of Dallas, chairman of the standing committee on revision of laws, reported that said committee in session has acted on the following bill and ordered same returned to the House with a favorable report with a substitute:

H. 1185. (With substitute.) To amend section 17 of an act entitled an act to authorize the court of county commissioners or board of revenue, or court of like jurisdiction, in the several counties of the State, to cause elections to be held in such counties, or parts thereof, for establishment of separate stock districts, the suspension of the same, and to cause elections to be held for the repeal of and regulation of same, approved September 29, 1903.

Mr. Lee, of Etowah, chairman of the standing committee on education, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report:

H. 874. To provide for and regulate the compensation to be paid teachers in the public schools of Walker county, Alabama.

H. 949. To create a text-book commission and to procure for use in the public schools in this State a uniform series of text-books; to define the duties and powers of said commission and to make an appropriation for carrying into effect this act.

H. 1165. To amend an act entitled "an act to establish a separate school district to be known as the Elba School District in Coffee county, Alabama, and to provide for the management of the public schools in said district," approved February 28th, 1901, as amended by an act approved September, 28th, 1903.

H. 1224. To fix the time for the holding of the examinations for teachers in the public schools of the State of Alabama.

H. 808. To provide for the fixing of the salary of the county superintendent of education of Perry county, Alabama, and for the defining of the duties and requirements of said superintendent.

S. 322. To amend sections 1 and 6 of an act entitled "an act to incorporate the town of Marion, in Perry county, as a separate public school district," approved February 5, 1877.

S. 367. To dissolve the board of trustees of the Medical College of Alabama and to vest the ownership and control of the property of the Medical College in the board of trustees of the University of Alabama.

Mr. Woolf, chairman of the standing committee on ways and means, reported that said committee in session has acted on the following bill and ordered same returned to the House with a favorable report:

H. 1130. To encourage the manufacture of calcium cyanamid (lime nitrogen) in this State, by exemptions from taxation for a period of ten years.

Was read a third time, at length and passed.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	Pearson
Alford	Elrod	Pitts (Dallas)
Armstrong	Glover	Pitts (Perry)
Arnold	Haley	Powell (Bullock)
Avery	Hoffman	Power
Ballard (Pike)	Jenkins	Price
Baltzell	John	Pugh
Barton	Jones	Rattray
Benners	Kornegay	Rice
Benson	Lacy (Dallas)	Rowe
Bloch	Lacy (Walker)	Sample
Brown	Lancaster	Sanders
Bulger	Long (Butler)	Seale
Burney	Long (Morgan)	Smith (Elmore)
Carmichael (Clay)	Lovelady	Smith (Etowah)
Coleman (Lowndes)	Malone	Smith (Franklin)
Coleman (Marshall)	Mitchell	Steagall
Cranford	Moore	Turner
Doyle (Clark)	McDuffie	Urquhart
Doyle (Marengo)	Parker	White (Lamar)

—60.

ADJOURNMENT.

On motion of Mr. Hughston the House adjourned until 8:30 o'clock Tuesday morning.

FORTIETH DAY.

House of Representatives,

Tuesday, July 16, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Malone of the House.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Dudley	Long (Butler)
Alford	Edwards	Long (Morgan)
Altman	Elrod	Lovelady
Armstrong	Foster	Lyons
Arnold	Fuller	Malone
Arrington	Glover	Maner
Avery	Goodwyn	Middleton
Ballard (Autauga)	Gunter	Mitchell
Ballard (Pike)	Hailey	Moore
Baltzell	Henley	McCrory
Barton	Hoffman	McDuffie
Benners	Hughston	McMillan
Benson	Jenkins	Norville
Bloch	John	Oliver
Brown	Johnson	Parker
Bulger	Killen	Pearson
Burney	Kirby	Peete
Cannon	Kornegay	Pitts (Dallas)
Carmichael (Clay)	Lacy (Dallas)	Pitts (Perry)
Coleman (Lowndes)	Lacy (Walker)	Powell (Bullock)
Coleman (Marshall)	Lancaster	Powell (Covington)
Cooper	Lawson	Pratt
Cranford	Lee (Barbour)	Price
Crum	Lee (Etowah)	Ragsdale
Doyle (Clark)	Lee (Houston)	Rainer
Doyle (Marengo)	Lindsey	Rattray

Rice	Smith (Elmore)	Turner
Rowe	Smith (Lee)	Vann
Rushton	Smith (Etowah)	Weaver
Sample	Smith (Franklin)	White (Lamar)
Sanders	Steagall	White (Perry)
Sanford	Thompson	Williams
Seale	Tunstall	Woelf
Sherrod		

—100.

A quorum was present.

JOURNAL.

The chairman of the revision of the Journal made the following report:

Mr. Speaker:

Your committee on the revision of the Journal begs leave to report as follows:

We have examined the Journal for the thirty-ninth day and find the same to be correct.

H. B. Steagall,
Chairman.

The report of the committee was concurred in, and the Journal of the thirty-ninth day was approved.

LEAVE OF ABSENCE.

Was granted to Messrs. Power, Pugh, Urquhart indefinitely and Jones for today.

PRIVILEGES OF THE FLOOR.

Were granted to Hon. George H. Malone of Dothan, for today; Hon. R. M. Cunningham, of Ensley, for today; General Stephen D. Lee, of Mississippi, for today and to Hon. R. L. Johnson, of Tallapoosa, for today.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate insists on its amendments to House Bill No. 25. H. 25. To define corrupt solicitation of Leg-

islators and provide adequate punishment therefor and the means to effectually enforce this act, and requests a committee of conference on the disagreement of the two houses on said amendments.

Committee on the part of the Senate: Messrs. Miller, Merritt and Lusk.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The House acceded to the request of the Senate, on the disagreement of the two houses on the Senate amendment to the bill H. 25, and the speaker named on committee of conference, Messrs. John, Fuller and Foster.

REPORT OF RULES COMMITTEE.

Mr. John from the standing committee on rules returned to the House the following resolutions with a favorable report:

H. R. No. 247. By Mr. John.

Resolved, that House Bill to adopt a code of the State of Alabama and House Bill to provide for the publication of the code, be made special continuing and paramount order for Wednesday, July 16, immediately after the report of the committee on revision of the Journal in preference to all other special orders.

And the resolution was adopted.

H. R. No. 248. By Mr. John.

Resolved, That the several committees shall meet and determine which bills reported favorably by the committee are of the most importance, and the order of their merit, and report to the speaker, who shall lay these reports before the committee on rules, which is hereby instructed to arrange from these reports a select calendar of the general bills of the greatest value to the State.

And the resolution was lost.

RECOMMITTAL OF BILL.

On motion of Mr. John, the bill,

H. 558. To regulate the employment of children in factories and manufacturing establishments in this State; to provide for inspection of factories and manufacturing establishments, for the enforcement of said regulations and for the punishment of violations thereof.

Was recommitted to the standing committee on mining and manufacturing, without losing its place on the calendar.

On motion of Mr. Steagall, the rules were suspended, so that Mr. King could be appointed on the committee to investigate the charges against the Insane Hospital, if the speaker saw fit to appoint him.

Mr. Ballard, of Autauga, on behalf of the Troy Normal College presented Speaker Carmichael with a gavel made by the students of the school.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on engrossed bills begs leave to report that it has examined and found correctly engrossed the following bills:

H. 55. To provide for the exclusion from the court room of all persons, except such as may be necessary, in the conduct of the trial, in prosecutions for rape, assault with intent to ravish, seduction and incest.

H. 223. To repeal an act entitled an act to increase the criminal jurisdiction of justices of the peace and notaries public having like powers in Marion county and other counties, approved February 8, 1877, so far as the same relates to Marion county.

H. 239. To repeal an act entitled an act to repeal section 1017 and section 1018 of the revised code of 1896, in so far as the same relates to Calhoun, Mobile, Etowah and Marion counties, approved March 1, 1901, so far as the same relates to Marion county.

H. 271. To prevent the removal of ginner's tags from cotton bales and to provide a penalty therefor.

H. 421. Providing for the survey and analysis and classification of soils of the State.

H. 513. To fix the salary of the clerk of the adjutant general and to make appropriation for same.

H. 590. To amend an act entitled an act to amend section 4730 of the criminal code of 1896, approved October 1st, 1903.

H. 798. To refund and pay back to the town of Camp Hill certain dispensary State license money collected **and paid into the State treasury** under and by virtue of the provisions of an act entitled an act to better provide for the revenue of this State, approved March 4th, 1903, for the privilege of operating a dispensary in the town of Camp Hill under an act entitled an act to establish and maintain and regulate a dispensary in the town of Camp Hill, Tallapoosa county, Alabama, approved September 26, 1903, which said act was declared unconstitutional and void, and said dispensary closed and not operated after the 31st day of March, 1904.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on enrolled bills have examined the following House bill and joint resolution and beg leave to report the same correctly enrolled:

H. 692. An act to amend sections 6, 9, 10, 16, 17, 19 and 20 of an act entitled "An act to provide for the redistricting of the public schools of the State and for the management and control of the same, approved September 30, 1903.

H. J. R. 212. Joint resolution relative to the funeral expenses of the late Speaker Wm. L. Martin.

H. J. R. 217. Joint resolution relative to the installation of an elevator in the capitol.

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two thirds vote of a quorum present, signed the bill, H. 692 and S. J. R. Nos. 212 and 217, whose titles are set out in the above and foregoing report from the standing committee on enrolled bills.

BILLS ON SECOND READING.

Mr. John, chairman of the standing committee on judiciary, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report:

H. 550. To establish in precinct 33 of Jefferson county, Alabama, an inferior court in lieu of all justices of the peace and jurisdiction of justices of the peace in said precinct, said inferior court to be known and called the inferior court of Bessemer, which shall be held in the city of Bessemer in said precinct 33, to define the jurisdiction and powers of said court, to provide for the appointment and election of a judge for said court, his salary and duties as such judge and fix and prescribe his duties and qualifications, to provide for the appointment of a clerk for said court, fix and prescribe his fees, salary or compensation, duties and qualification and term of office, provide for the term of office for the judge of said court; provide for and fix the manner and means of providing for expenses of running and maintaining said court, by allowing the board of revenue of said county to provide and allow and arrange rooms and building or rooms for holding said court; to designate the collecting, placing and disbursing fees, costs and all fines and forfeitures collected by said court and accruing to said court; provide for and repeal all justices of the peace and notary public exercising the powers and jurisdiction of justices of the peace in said precinct thirty-three of said county.

H. 832. To vacate the dedication of all that part of Charles Avenue lying north and east of the eastern line of Twelfth Street as now located between avenues "H" and "I" in the city of Birmingham, Jefferson county, Alabama, and which was dedicated as a public highway.

H. 864. To regulate the practice and procedure of opening and vacating judgments confessed under power of attorney in notes and other instruments authorizing the confession of judgment against the maker or obligor, and the staying of execution thereon.

H. 930. To regulate the administration of the affairs of any municipal corporation which has been absorbed, or its government extinguished by the alteration or re-arrangement of the boundary lines of another city or town.

H. 931. To regulate cities that alter or re-arrange their boundary lines so as to absorb one or more cities or towns, or extinguish the government of one or more cities or towns.

H. 936. To propose an amendment to the constitution of the State of Alabama for the purpose of providing for the formation and establishing of new counties out of portions of one, two or more counties as may be desired.

H. 939. To adopt a code of laws for the State of Alabama.

H. 940. To provide for the publication and distribution of the code of Alabama and the acts of the Legislature.

H. 941. To provide for and regulate the selection, drawing and empanelling of grand and petit juries in all the courts of this State.

H. 942. To propose amendments to section 194 of the constitution.

H. 953. To provide how the salaries of circuit judges whose salaries are partly paid by the counties in which said judges hold court shall be paid.

H. 955. To amend an act entitled an act to regulate the city court of Birmingham in the practice and procedure in said court; to provide for judges thereof, their

election, term of office, removal, power and salary; for the election, term of office, bond, removal, and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery and other supplies for the holding of said court, approved February 26th, 1907.

H. 956. To provide for the appointment by the judges of the city court of Birmingham, of the necessary bailiffs for said court and to fix the duties, liabilities and compensation of said bailiffs and to provide for the payment of their compensation.

H. 966. To amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26th, 1907.

H. 965. To fix the time and place of holding the chancery court in the eighth district of the Northern Division, composed of the county of Madison.

H. 983. To establish a board of commissioners for the promotion of uniformity of legislation in the United States.

H. 984. To fix the salary of the associate judge of the city court of Montgomery.

H. 1035. To provide for the election of a county solicitor for Wilcox county, to define his duties and fix his compensation.

H. 1037. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county or other authorized agents of said county, borrowing money for the use and benefit of said county and to ratify and confirm the warrants given for money so borrowed, and for the interest thereon, and for warrants heretofore issued for said purpose.

H. 1042. To repeal an act entitled "an act to increase the number of grand and petit jurors in Winston county," approved February 7th, 1885.

H. 1043. To repeal section two and three of an act "entitled an act to repeal an act to increase the number of grand and petit jurors in Winston county and to provide and designate the number of petit jurors drawn in said county," approved Dec. 10, 1886.

H. 1050. To prescribe the duties, fix the fees and commissions of the deputy solicitor of Escambia county, Alabama, and make disposition of the residue of the fees and commissions earned by such solicitor.

H. 1052. To amend sections 4580 and 4581 of the code of 1896.

H. 1070. To make subject to enforcement by the courts of this State any liability incurred in another State which is subject to enforcement in such other State.

H. 1075. To amend section 809 of the code of 1896.

H. 1101. To amend an act entitled an act to fix the times and places of holding circuit court in the seventh judicial circuit, approved Oct. 3, 1903.

H. 1126. To amend section 28 of an act entitled "an act to establish the city court of Bessemer," approved February 28th, 1901.

H. 1131. To provide for the care and preservation of the lands of "The Alabama Insane Hospitals," and to require the trustees to convey to the corporation their title thereto and to provide for the issuance of patents direct to the purchaser from the Alabama Insane Hospital, or to the corporation, and to protect the lands from illegal sales for taxes.

H. 1132. To amend section 8 of an act entitled "an act to confer and limit the powers of business corporations and to provide for their organization and regulation," approved October 2, 1903.

H. 1133. To authorize cities in the State of Alabama having, according to the next preceding federal census, a population of more than thirty-five thousand, to compel the construction and maintenance of bridges, viaducts and tunnels and their approaches, over, under or across railroad tracks within the city limits, and to provide for defraying the expense of the same.

H. 1157. To prohibit judges of probate and other persons from cancelling mortgages, deeds of trust, or other instruments of like character, conveying real estate in this State, except when thereunto duly authorized by written power of attorney of the mortgagee, or his assignee or transferee, and to require such power

of attorney to be recorded in the probate office where such mortgages, deeds of trust, or other instruments of like character are recorded, and to provide fees therefor.

H. 1163. To authorize the district trustees of any school district in the State of Alabama to condemn lands for use of public schools of any school district.

H. 1167. To prohibit pools, trusts, monopolies and conspiracies to control business and prices of articles; to prevent the formation or operation of pools, trusts, monopolies and combinations of charters of corporations that violates the terms of this act, and to authorize the institution of prosecutions and suits therefor.

H. 1204. To regulate actions for libel in the State of Alabama.

H. 1162. To amend an act entitled an act to provide for holding separate terms of the circuit court for Coffee county in the Twelfth judicial circuit at Enterprise, for the following portions of Coffee county, to-wit: Township 3, range 22; township 4, range 22; township 5, range 22; township 3, range 21; township 4, range 21; the east one half of township 3, range 20; the following sections in township four, range 20, to-wit: 13, 22, 23, 24, 25, 26, 27, 34, 35, 36; and all that portion of the territory in township 6, range 22; township 7, range 22; township 5, range 21; township 6, range 21, lying south of Pea river, and to regulate the holding of such court; to provide buildings and accommodations therefor, making its jurisdiction within such district exclusive of the jurisdiction it exercises when sitting at Elba, in said county of Coffee; defining the powers of the judge and clerk thereof, and regulating the drawing of its grand and petit jurors, and providing for the transfer of causes from the circuit court at Elba to said court held at Enterprise and from the latter to the former, approved February 28th, 1907.

H. 1168. To amend sections 6 and 7 of an act entitled "an act to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers, their powers, duties and compensation; to fix the terms of said court; and to prescribe

rules and procedure for said court," approved February 23d, 1907.

H. 1169. To establish an inferior court in precinct No. 10 in Morgan county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, and to define the jurisdiction and powers of said court and the judge thereof.

H. 1203. To regulate civil actions for libel against the publisher or publishers of newspapers, magazines and periodicals in the State of Alabama.

H. 1207. To allow judges to require witnesses in criminal cases to enter into bond for their appearance on the trial of such cases.

H. 1209. To give to certified transcripts of validly executed instruments not properly acknowledged or proved, but that have been of record for twenty years, the same force and effect as transcripts of like instruments duly acknowledged and recorded.

H. 1210. To repeal section 1 of an act to increase the criminal jurisdiction of justices of the peace in the counties of Limestone, Marion, Greene and Marshall, approved February 12, 1879, so far as Marion county is concerned; and to provide that justices of the peace of Marion county shall have and exercise the jurisdiction given by the code and general laws of the State.

Mr. John, chairman of the standing committee on judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with an amendment.

H. 785. (With amendment.) To prescribe a qualification for coroners in counties of fifty thousand population and over.

H. 900. (With amendment.) To amend sections 2, 3, 6, 10, 11 (as amended March 2, 1901,) 12, and 18 (as amended March 2, 1901) of "an act to establish a county court for the county of Clay," approved Dec. 13, 1898.

H. 944. (With amendment.) To amend section 3866 of the code of Alabama.

H. 1041. (With amendment.) To increase and fix the compensation of jurors, grand and petit, who serve in the circuit court of Winston county.

H. 1144. (With amendment.) To amend article 1 of chapter 109 of the code of Alabama of 1896.

H. 1178. (With amendment.) To establish and regulate the Sylacauga division of the circuit court of Talladega county, confer upon it chancery jurisdiction, define the territorial limits of its jurisdiction, fix the time and place for holding said court, provide for drawing and empaneling juries therein and prescribe the liability of persons residing within its territorial jurisdiction to jury service and the rules of procedure in said court.

H. 1193. (With amendment.) To authorize the governor, the State auditor and treasurer, to retire Alabama bonds whenever in their judgment the condition of the treasury will permit.

Mr. Pitts, of Dallas, chairman of the standing committee on revision of laws, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report.

H. 996. To amend section (4596) of the code of 1896.

H. 1088. To ratify and confirm all elections held under the act approved September 29, 1903, (Acts 1903, page 431) providing for the establishment of stock law districts where said elections and the proceedings to obtain the same have been irregular.

H. 1180. To repeal an act entitled an act to establish an immigration board for the State of Alabama, to define its duties, to appropriate money to pay the expenses for carrying out its provisions, to provide for the appointment of an immigration commissioner, to define his duties and to fix his compensation. Approved March 4th, 1907.

H. 1113. To provide for holding one week of each term of the circuit court of Geneva county at Hartford, Alabama; to prescribe the jurisdiction thereof, and regulate the proceedings therein, and to provide a place for holding the same in said town.

H. 1114. To provide for holding a part of the county court of Geneva county, Alabama, at Hartford in said

county; to prescribe the jurisdiction thereof and regulate the proceedings therein.

H. 1115. To require the judge of probate of Geneva county, Alabama, to keep an office at Hartford and to provide for recording therein deeds, deeds of trust, mortgages, or instruments in the nature of a mortgage, or other instrument authorized or required by law to be recorded.

H. 1116. To provide for an election to remove the county seat of Geneva county, Alabama, from the town of Geneva to the town of Hartford, if a majority of the qualified electors of said county at such election shall vote for such removal, and to provide for changing the county seat, and the erection of necessary county buildings and offices.

H. 1096. To amend section 4325 of the code of 1896.

H. 1108. To amend section 1 of an act entitled an act for the relief of needy Confederate soldiers and sailors resident citizens of Alabama and their widows. Approved February 10th, 1899.

H. 1097. To amend section 9 of an act, approved March 7, 1907, entitled "an act to further amend the revenue laws of the State of Alabama.

H. 1176. Defining the crime of burglary with explosives and providing the punishment therefor.

H. 1220. To amend sections two (2) and three (3) of an act entitled "an act to amend sections 897 and 911 of chapter 19, article 1 of the code of Alabama. Approved March 6th, 1907.

H. 1184. To amend an act entitled an act to prevent the running at large of stock in certain portions of Elmore county, approved February 18th, 1891.

H. 1119. To declare the ownership of all books of record, all books of every character kept by any officer of the circuit court of Henry county at Dothan and Columbia, and all papers of every character pertaining to any cause, civil or criminal, theretofore disposed of, or pending or originating in said courts and not finally disposed of, including indictments where no arrests had been made, at the time of the organization of the county of Houston to be the property of Houston county and

same to be kept in the office of the clerk of the circuit court of Houston county; to give the circuit court of Houston county jurisdiction of all such causes, civil or criminal, including indictments, where no arrest had been made at the time of the organization of said Houston county, except where the defendant was at the time of the commission of the offense alleged, in what is now Henry county, in which latter event the circuit court of Henry county shall have jurisdiction of the offense; to prescribe the duties and powers of the clerk of the circuit court of Houston county and of the sheriffs of their respective counties with reference to the issuance of process and the execution thereof in such causes, and to ratify and confirm all orders and judgments and proceedings of the circuit courts of Henry and Houston counties in any of said causes, and the acts of the clerks of the circuit courts of said counties and of the sheriffs of their respective counties, within their powers and duties, in and about any of said causes, including the issuance of capias and arrests thereon, on indictments returned to said circuit courts of Henry county at Dothan and Columbia, and to declare same of legal force and effect the same as though such cases had originated in said circuit courts of Houston or Henry counties.

Mr. Pitts, of Dallas, chairman of the standing committee on revision of laws, reported that said committee in session has acted on the following bill and ordered same returned to the House with a favorable report with a substitute:

H. 1185. (With substitute.) To amend section 17 of an act entitled an act to authorize the court of county commissioners or board of revenue, or court of like jurisdiction, in the several counties of the State, to cause elections to be held in such counties, or parts thereof, for establishment of separate stock districts, the suspension of the same, and to cause elections to be held for the repeal of and regulation of same, approved September 29, 1903.

Mr. Lee, of Etowah, chairman of the standing committee on education, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report:

H. 874. To provide for and regulate the compensation to be paid teachers in the public schools of Walker county, Alabama.

H. 949. To create a text-book commission and to procure for use in the public schools in this State a uniform series of text-books; to define the duties and powers of said commission and to make an appropriation for carrying into effect this act.

H. 1165. To amend an act entitled "an act to establish a separate school district to be known as the Elba School District in Coffee county, Alabama, and to provide for the management of the public schools in said district," approved February 28th, 1901, as amended by an act approved September, 28th, 1903.

H. 1224. To fix the time for the holding of the examinations for teachers in the public schools of the State of Alabama.

H. 808. To provide for the fixing of the salary of the county superintendent of education of Perry county, Alabama, and for the defining of the duties and requirements of said superintendent.

S. 322. To amend sections 1 and 6 of an act entitled "an act to incorporate the town of Marion, in Perry county, as a separate public school district," approved February 5, 1877.

S. 367. To dissolve the board of trustees of the Medical College of Alabama and to vest the ownership and control of the property of the Medical College in the board of trustees of the University of Alabama.

Mr. Woolf, chairman of the standing committee on ways and means, reported that said committee in session has acted on the following bill and ordered same returned to the House with a favorable report:

H. 1130. To encourage the manufacture of calcium cyanamid (lime nitrogen) in this State, by exemptions from taxation for a period of ten years.

Mr. Woolf, chairman of the standing committee on ways and means, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report with amendment:

H. 1129. (With amendment.) To encourage the development of the various unused water powers in this State by exemptions from taxation for a period of ten years.

Mr. Ragsdale, chairman of the standing committee on public health, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report with amendment.

H. 1127. (With amendment). To amend section 17 of an act entitled an act to provide a system of quarantine for this State, approved February 23, 1899.

H. 1156. (With amendment). To provide for proper sanitary conditions in hotels and restaurants in this State.

H. 1124. (With amendment). To amend sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17, and 18 of, and to add sections 9 1-2, 16 1-2, 24, and 25 to an act entitled an act to amend, reconstruct, and provide for the enforcement of the laws relating to the public health, approved Oct. 9, 1903.

Mr. Jenkins, chairman of the standing committee on county and county boundaries, reported that said committee in session has acted on the following bill and ordered same returned to the House with a favorable report:

H. 1085. To amend an act to establish a State live stock sanitary board and the office of State veterinarian in order to further protect live stock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama, approved March 12th, 1907.

Mr. Smith, of Elmore, chairman of the standing committee on public roads and highways, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report:

H. 1112. To provide for the better construction, repairing, working, and maintaining the public roads and bridges in Franklin county, Alabama.

H. 1139. To repeal an act entitled "an act to better provide for the working and maintenance of the public roads of Chambers, Lamar, Lawrence, Lowndes, Clay and Cleburne counties," approved February 18th, 1899, so far as the same relates to Lamar county.

H. 1190. To repeal an act approved September 30th, 1903, entitled an act to provide a better system, and the more efficient working of the public roads of Bullock county.

Mr. Pitts, of Perry, chairman of the standing committee on agriculture, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report:

H. 1200. To amend an act entitled an act, "to provide for the establishment of a bureau to collect, compile; and publish cotton statistics, and to prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof; to require ginners and others to make reports thereto; and to provide penalties for the violations of the provisions of this act." Approved March 5th, 1907.

H. 1208. To amend sections 1, 2, 4, 6, 8, 9, 13, 14 and 15 of an act entitled "an act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphates, fertilizer materials and chemicals in the State of Alabama," approved March 3, 1903.

Mr. Ballard, of Autauga, chairman of the standing committee on temperance, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report:

H. 1221. To prohibit the running or operating of billiard or pool tables for the use of which money or other things of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

H. 1105. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials or other intoxicating drinks or beverages within four miles of Chappel Hill Missionary Baptist church, Cool Springs Missionery Baptist church and the Rutledge Methodist Episcopal church, south, provided, the incorporation limits of the Rutledge Methodist Episcopal church, south, shall not extend further east than the corporate limits of the town of Luverne, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

H. 1106. To make it unlawful for any person to sell, give away, or otherwise dispose of spirituous, vinous or malt liquors within three miles of the school house known as the Powell school house in beat six (6) of Crenshaw county, Alabama, and to punish violations of the same.

H. 1100. To prohibit the manufacture of spirituous or malt liquors in Cherokee county.

H. 1102. To amend sections 8 and 10 of an act entitled an act to authorize the cities of Tusculumbia and Sheffield, and the towns of Leighton and Cherokee, in Colbert county, to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved February, 15, 1907, and to amend said act by adding sections 19 and 20 thereto.

H. 1213. To amend section five of an act approved February 22nd, 1907, entitled "An act to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, malt liquors, intoxicating beverages, bitters or proprietary medicines in

Lamar county, Alabama, and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or malt liquors, intoxicating beverages or intoxicating bitters, or intoxicating proprietary medicines from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, or intoxicating proprietary medicines, in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, or intoxicating bitters, or intoxicating proprietary medicines by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telephone or telegraph company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters or intoxicating proprietary medicines to any point within this State, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict herewith.

H. 1098. To provide for closing and discontinuing the dispensary operated under an act to establish a dispensary in the town of Clanton, county of Chilton, State of Alabama, and to provide for the conduct and regulation of the same, approved March 2, 1907.

H. 1091. To repeal an act entitled "an act to provide for and regulate the issuance of licenses for the sale of vinous, spirituous, and malt liquors to hotel owners, keepers or lessees, in beat 1, Blount Springs precinct, in the county of Blount, State of Alabama.

H. 1197. To provide for an election in Perry county, Alabama, to determine whether spirituous, vinous and malt liquors shall be sold in said county after October 15th, 1907; to provide for holding said election and for other purposes.

H. 1121. To prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous or malt liquors, intoxicating beverages, or proprietary medicines in Jackson county, Alabama, and to prohibit the shipping into said county by common carrier, and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous, or malt liquors, intoxicating beverages, or intoxicating bitters, or intoxicating proprietary medicines, from any place within this State, and to prohibit the procuring for another, or the taking or soliciting or receiving of orders for spirituous, vinous or malt liquors or intoxicating beverages, intoxicating bitters or intoxicating proprietary medicines in said county, and to prohibit, the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, or intoxicating proprietary medicines by any person in said county over telegraph or telephone line, and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, or intoxicating proprietary medicine to any point within this State, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict herewith.

H. 1223. To require the five thousand dollars required by section 25 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, Alabama, located in the city of Huntsville, approved the 7th day of February, 1907, to be paid over to the county superintendent of education of Madison county for the support of the public schools of the county, to be applied exclusively to the public schools of the county of Madison, outside the city of Huntsville.

H. 1084. To prohibit the shipping into Autauga county by common carriers, and the bringing into the said county by any person for the use of any other person than himself, any spirituous, vinous, malt, or intoxicating liquors from any place within this State, and to prohibit the procuring of any such liquors for

another in said county, or the giving, taking soliciting, or receiving of orders for such liquors in said county, and to provide penalties for the violation of such prohibited acts.

H. 1103. To amend section 9 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee in Colbert county, to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and male liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in the said county, approved February 15th, 1907.

H. 1194. To establish, maintain and regulate a dispensary in the city of Uniontown, Perry county, Alabama, for the sale of spirituous or vinous liquors or malt liquors, wines, ciders or other intoxicating liquors, and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors; to provide for the distribution of the profits from the sale of said liquors in said dispensary between said city and said county, and for other purposes.

H. 857. To prohibit the selling, giving away or otherwise disposing of cigarettes, cigarette papers, or any substitute therefor in the State of Alabama, and to provide a punishment therefor.

H. 854. To prohibit the sale, barter or exchange, giving away, lending, delivering, or otherwise disposing of any spirituous, vinous, or malt liquors, intoxicating beverages, bitters, beers, "hop jack," or intoxicating proprietary medicine of any kind, except upon the written prescription of a practicing physician, within one and a half miles of "Bethel" Methodist Episcopal Church, situated at Dolcito, in precinct (11) eleven, Jefferson county, Alabama.

H. 1196. To amend section thirteen of an act to establish, maintain and regulate a dispensary in the town of Marion, Perry county, Alabama, for the sale of spirit-

uous or vinous liquors, malt liquors, wines, ciders, or other intoxicating liquors and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors and for other purposes, approved February 28, 1901.

Mr. Ballard, of Autauga, chairman of the standing committee on temperance, reported that said committee in session has acted on the following bill and ordered same returned to the House with a favorable report with amendment:

H. 898. (With amendment.) To prohibit the sale of wine in the city of Thorsby, Alabama, in quantities less than one gallon; to prohibit the drinking of wine on premises where sold; and to provide that any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars and costs for each offense; and repealing all laws and parts of laws in conflict with this act.

Mr. Arnold, chairman of standing committee on privileges and elections, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report:

H. 895. To repeal an act entitled an act to provide for the election of the county superintendent of education by a vote of the legal electors of Covington and Bullock counties, approved February 17th, 1885, so far as the same relates to Bullock county.

H. 992. To fix the manner of electing the marshal of the town of Decatur, Alabama.

H. 991. To fix the manner of electing the city clerk of the town of Decatur, Alabama.

H. 1018. To authorize an election in the county of Talladega, to determine whether or not bonds in the sum of two hundred and fifty thousand dollars be issued by said county for the purpose of building macadam, chert and general public roads therein.

Mr. Lyons, chairman of the standing committee on appropriations, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report:

H. 1083. To make an appropriation for furnishing and equipping certain of the offices and departments in the State capitol.

H. 1093. To appropriate the sum of fifty thousand dollars to defray the expenses incurred and to be incurred in connection with the railroad rate litigation now pending, or which may hereafter be instituted, between the various railroads of Alabama and the railroad commission.

H. 1005. For the relief of C. R. Gibson and Irby Moody two ex-confederate soldiers, being residents of Pike county, Alabama.

H. 1092. For the relief of J. W. Angle.

H. 1110. For the relief of H. Frederick, an ex-confederate soldier; to give the said H. Frederick the benefits granted under an act of the General Assembly of Alabama, approved February 10th, 1899, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and to require the probate judge of Escambia county to place his name on the pension roll or list of ex-confederate soldiers in the county of Escambia.

H. 1183. For the relief of Mrs. Mary Jane Vernon, widow and sister of G. B. Alexander a confederate pensioner.

H. 1206. To make an enumeration, or census, of the confederate soldiers residing in the State of Alabama, and to provide for the payment therefor.

Mr. Long, of Butler, chairman of the standing committee on commerce and common carriers, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 150. To regulate the running of automobiles or traction engines or portable engines on the public highways in the State of Alabama and to fix the liability of any owner or person running or operating an auto-

mobile or traction engine or portable engine over or along the public highways in this State for any injury done to persons or property, and to provide a penalty for the violation of the provisions of this act.

S. 343. To require and regulate the giving of bills of lading or receipts for property received by any common carrier, railroad or transportation company for transportation, originating and terminating, within this State, and to fix the liability of the initial carrier for any loss, injury or damage to such property, and prohibit the limitation of such liability by contract.

Mr. Haley, chairman of the standing committee on local legislation, reported that said committee in session has acted on the following bills and ordered same returned to the House with a favorable report:

H. 861. To authorize and empower the board of mayor and alderman of the city of Bridgeport, Jackson county, Alabama, to release manufacturing establishments within said city from the payment of city taxes.

H. 1134. To repeal an act to provide for the establishing of a separate school district to be known as the North Birmingham District, in Jefferson count, Alabama, and to provide for the selection of a board of trustees for said school district, with certain duties and powers, approved March 4, 1901.

H. 1135. To repeal an "act to provide for the establishing of a separate school district to be known as the Oxmoor district, at Oxmoor in Jefferson county, Alabama, with certain powers and privileges of levying taxes to sustain said school," approved February 9th, 1877.

H. 1095. To require the tax assessor and tax collector of Calhoun county, Alabama, to visit the voting places in each precinct in Calhoun county, Alabama, once in each year for the purpose of assessing and collecting taxes; that said tax assessor and tax collector shall each keep his office at the court house of said county from October the 1st to December the 31st of each year.

H. 1089. To require one round to be made by the tax collector and tax assessor of Blount county for the purpose of assessing and collecting taxes, said round to begin the first Monday of November of every year.

H. 1099. To amend section 3 of an act entitled "An act to establish a separate school district in Clarke county, Alabama, to be known as the Grove Hill school district, and to provide for the maintenance of the same," approved March 4th, 1901.

H. 1142. To amend an act entitled an act to amend section 4715 of the Code of Alabama.

H. 1141. To repeal an act entitled an act to increase and regulate the fine and forfeiture fund of Lee county, and to provide for the payment of State witnesses out of the same, approved March 4th, 1901.

H. 1155. To prevent and punish any person, firm or corporation, residing in or doing business within any stock law district in Covington county enclosed by any fence or fences, from turning any stock prevented from running at large within such stock law district, in or on any territory within said county where any such stock are prohibited by law from running at large in non-stock law districts in said county; making the violation of such act a misdemeanor, and providing that the act take effect from and after its passage and approval by the governor.

H. 1164. To provide for an increase in the amount to be paid to the circuit clerk of Coffee county for ex-officio services for the circuit court to be held at Enterprise.

H. 1170. To provide for the payment of outstanding claims against the fine and forfeiture fund of Morgan county, to provide for the issuing and payment of all witness certificates in behalf of the State out of the fine and forfeiture fund, authorize and direct the county treasurer to appropriate and transfer from the general funds of the county to the fine and forfeiture fund a sufficient amount to pay witness certificates, and to provide for quarterly reports of the condition of said funds.

H. 1191. To provide that the sheriff of Bullock county, Alabama, shall receive for "impanelling grand juries,

advertising and attending all elections in his county, and for all other public service not otherwise provided for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury, not exceeding five hundred (\$500.00) dollars per annum."

H. 1201. To regulate and prescribe the manner of electing county commissioners in the county of Walker, fix their compensation and provide for holding regular, special and adjourned terms of the court of county commissioners.

H. 1217. To amend section three of an act entitled "An act to authorize the solicitor of Jefferson county to employ a stenographer, and define his duties," approved December 10, 1900.

H. 1218. To fix the time for the election of the solicitor of Jefferson county.

H. 1219. To increase the salary of the solicitor of Jefferson county to the sum of four thousand, five hundred dollars per annum, and provide for the payment of said salary.

H. 929. To alter or rearrange the boundary lines of the city of Birmingham, Alabama.

H. 938. To alter or rearrange the boundary lines of the city of Bessemer, Jefferson county, Alabama.

Mr. King, chairman of the standing committee on Immigration and Labor, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1148. To repeal an act, entitled an act, to establish an immigration board for the State of Alabama, to define its duties, to appropriate money to pay the expenses for carrying out its provisions, to provide for the appointment of an immigration commissioner, to define his duties and to fix his compensation, approved March 4, 1907.

Mr. Gunter, chairman of the standing committee on Municipal Organization, reported that said committee

in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1150. To amend "An act to provide for the settlement, adjustment and refunding of the bonded indebtedness of municipal corporations."

H. 981. To provide for the election of a harbor master and three deputy harbor masters, and to regulate their duties and provide for their compensation.

Mr. Gunter, chairman of the standing on Municipal Organizations, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

H. 1158. (With amendment.) To provide for the organization, incorporation, government and regulation of cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

Mr. Lindsey, chairman of the standing committee on Game, Fish and Forestry Protection, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 972. To amend section 3 of an act entitled "An act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9, 1891.

Mr. Armstrong, chairman of the standing committee on Public Printing, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 905. To provide for the publication of the local laws enacted by the Alabama Legislature in the various counties to which they apply.

H. 1186. To provide for the publication of State papers, official records and of historical materials of the State of Alabama.

Mr. Bulger, chairman of the standing committee on Federal Relations, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1179. To provide for the celebration of the one hundredth anniversary of the battle of Tohopeka or Horse-shoe Bend, in 1814.

Mr. Maner, chairman of the standing committee on Corporations, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 816. To define and regulate fraternal beneficiary orders, associations, or societies; to provide penalties, and for other purposes.

H. 1029. To provide for incorporating educational societies, and to define the rights, privileges and immunities thereof.

Mr. Rushton, chairman of the standing committee on Banking and Insurance, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 910. To amend section 1134 of the Code of 1896.

Mr. Woolf, chairman of the standing committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1120. To amend sections two and three of an act entitled "an act authorizing the court of county commissioners, upon petition filed, and proof made, and authorizing the State auditor upon proper certificate and proof being furnished him by the judge of probate, from the court of county commissioners, to refund to any person owning property subject to taxation in this State, money, which was not due for taxes, but was paid through a mistake or error in the assessment or collection of taxes," approved September 29th, 1903.

H. 1123. To exempt from taxation all the property, both real and personal, belonging to The Eastern Star.

H. 1151. To amend section 10 of an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

H. 1154. To amend section 9 of an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

H. 1189. To amend section 8 of an act entitled "An act to further amend the revenue laws of the State of Alabama," approved March 7, 1907.

H. 1211. To amend an act entitled an act to further amend the revenue laws of the State of Alabama.

The above and foregoing bills were severally read a second time, and placed on the calendar.

BILLS REPORTED ADVERSELY.

Mr. Woolf, chairman of the standing committee on Ways and Means, reported that said committee in session, had acted on the following bills and ordered same returned to the House with an adverse report:

H. 1117. To amend that part of section 3911 of an "Act to better provide for the revenue of the State," approved March 4th, 1903, as follows: "3911. Subjects, objects, and rates of taxation. There is hereby levied for the purposes named, upon the property hereinafter named, in lieu of all taxes heretofore levied, annual taxes as follows, to-wit : (a) For the maintenance of the public schools of the State, thirty cents on each hundred dollars of the assessed valuation of taxable property; (b) to carry out the provisions of an act "for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows," approved February 23rd, 1899, to be separately reported by assessors and collectors and set apart in the treasury, ten cents on each hundred dollars of the assessed valuation of taxable property; (c) for the use of the State and to raise revenue therefor, twenty-five cents on each hundred dollars of the assessed valuation of taxable property."

H. 1187. To repeal an act to better provide for the revenue of the State and the more efficient assessment and collection of taxes and for this purpose to create a

commission to be known as the State Tax Commission of Alabama; and to prescribe powers and duties of said commission, and its mode of procedure and to abolish the office of State tax commissioner, approved March 7, 1907.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 327. To regulate the manner of procedure in the trial of certain felonies and prescribing punishment therefor, and appointing a commission on parole, and authorizing it to make rules for the government thereof.

H. 549. Authorizing and requiring the supernumerary judge of the State of Alabama to preside and try civil and criminal cases in all courts of record in the State of Alabama, where the judges of said courts are for any reason disqualified or incompetent to preside or has died or resigned and to require the governor of Alabama to inform and require the supernumerary judge to attend such courts and try and dispose of cases pending in such courts as may be deemed necessary.

H. 1011. To provide for the payment of sheriffs of the State of Alabama for waiting on the various courts of said State.

H. 1021. To provide for the compensation of any attorney appointed by the court or trial judge in the circuit courts, or courts of concurrent jurisdiction to represent persons charged with a capital offense and regulating the manner of its payment.

H. 1074. To amend section 4319 of the Code of 1896.

H. 1128. To amend an act to amend section 2038 of the Code of Alabama of 1896, approved February 23, 1899.

H. 1145. To equalize at \$3,000.00 each per annum (so far as the same are payable out of the State treasury) the salaries of judges of law and equity courts, city courts, and other courts of record of general common law, equity and criminal jurisdiction, with jurisdiction of felonies or either, by whatsoever name called, now ex-

isting or that may be hereafter created by law, exercising jurisdiction over a single county having a population of not less than twenty thousand and taxable property of not less than three million, five hundred thousand dollars, and to provide for their payment out of the State treasury.

H. 1152. To provide, that all contracts, agreements or undertaking made or entered into by any court of county commissioners, board of revenue, or any other court of like jurisdiction, to erect, supervise or maintain any stock law fence or fences, within the State of Alabama, shall be unlawful, and to make it a misdemeanor for any officer of this State to order the payment of any of the monies of the respective counties of this State on any such contract, or agreement, and to provide for the enforcement of this act.

H. 1175. To declare illegal and void all contracts entered into after the passage of this act, whereir the creditor, at the time of making the same was in a compact, combination or agreement with other corporations or persons formed for the purpose of fixing or controlling rates or prices; and to provide a defense to actions brought to enforce such contracts.

H. 865. To require any witness when changing his residence or location after having once been summoned in a cause to notify the clerk of the court in which the cause is pending of such change of residence or location, and to provide a punishment for violation hereof, and to prescribe the duties of said clerk in reference to same.

Mr. Arnold, chairman of the standing committee on privileges and elections reported that said committee in session has acted on the following bills and ordered same returned to the House with an adverse report.

H. 37. To regulate the use of money, or other valuable things; the employment of workers, and the contribution to election and campaign funds and other elections and political campaigns.

H. 299. To regulate the use of money, or other valuable things, the employment of workers, and the contribution to elections and campaign funds in primary and other elections and political campaigns.

H. 672. To further regulate the contest of elections.

H. 673. To change the boundary lines between the counties of Calhoun and Cleburne.

Mr. Lee, of Etowah, chairman of the standing committee on Education, reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report.

H. 1159. To repeal Section 3297 of the Code of Alabama of 1896.

Mr. Long, of Butler, chairman of the standing committee on commerce and common carriers reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report.

H. 814. To authorize and permit all railway companies who control and operate raidroads in this State to transport or carry confederate veterans to and from all State and county reunions at reduced rates of passenger fare or free of charge within the State of Alabama.

Mr. Mitchell, chairman of the standing committee on claims and fees reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report.

H. 871. To fix the salary of the county treasurer of Lee County Alabama.

Mr. Maner, chairman of the standing committee on Corporations, reported that said committee in session has acted on the following bill and ordered same returned to the House with an adverse report.

S. 115. To increase the efficiency of trust companies.

Mr. Lindsey, chairman of the standing committee on game, fish and forestry preservation, reported that said committee in session had acted upon the following bills and ordered same returned to the House with an adverse report:

H. 1071. To legalize the shooting of doves on baited fields in the Counties of Dallas and Lowndes.

H. 1073. Amending sections 6, 9, 10, 33 and 44 of an act "entitled an act" relating to the preservation, propagation and protection of game animals, wild birds and fish; establishing the department of game and fish; creating the office of State game and fish commissioner, and providing for his election and compensation; creating the office of county game and fish warden, and deputy game and fish warden, and providing for their appointment and compensation; creating a game and fish protection and appropriating money therefrom.

H. 1171. To provide for and authorize the use of seines during the months of July and August for catching fish in all of the creeks of Morgan county.

H. 1087. To amend an act entitled an act relating to the preservation, propagation and protection of fish of Alabama, approved February 19th, 1907.

H. 1111. To prohibit hunting, shooting at, or killing, wounding or capturing and holding in captivity any deer in this State.

H. 1195. To amend section 44 of an act entitled "An act relating to the preservation, propagation and protection of game animals, wild birds and fish; establishing the department of game and fish, creating the office of State game and fish commissioner, and providing for his election and compensation; creating the offices of county game and fish wardens and deputy game and fish warden, and providing for their appointment and compensation; creating a game and fish protection fund and appropriating money therefrom," approved February 19th, 1907, so far as the same relates to Lamar county.

H. 1072. To legalize the shooting of doves in Dallas and Lowndes counties between the 1st of August and the 1st of March, next thereafter.

H. 1225. To prevent the burning of forests and woods and to punish the violation thereof.

Mr. Haley, chairman of the standing committee on Local Legislation, reported that said committee in ses-

sion had acted on the following bill and ordered same returned to the House with an adverse report:

H. 724. To amend section 10 of an act entitled "An act, to amend an act to incorporate the Tuskegee Normal and Industrial Institute, and to amend an act to amend an act to establish a normal school for colored teachers at Tuskegee, Alabama," approved Feb. 21st, 1893.

Mr. Pitts, of Dallas, chairman of the standing committee on Revision of Laws, reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 1014. To repeal section four of an act entitled an act to regulate and prescribe the manner of electing county commissioners in Pike, Bullock, Washington, Baldwin, Butler, Choctaw, Fayette, Shelby, DeKalb, and Pickens counties, approved Jan. 30th, 1903, so far as the same relates to Shelby county, Ala., and to prescribe the manner of electing commissioners in said county.

The following resolutions were introduced and referred to the committee on Rules:

By Mr. Martin:

H. R. 249. Resolved that H. B. 987, relating to tax on dogs, be made a special, paramount, continuing order for Thursday, July 18, 1907.

By Mr. Pitts, of Dallas:

H. R. 250. Resolved that H. B. 427, with substitute, to appropriate \$4,000.00 to the Plantersville High School, be made a special, paramount and continuing order for Thursday, the 18th day of July, 1907.

By Mr. Pitts, of Dallas:

H. R. 251. Resolved that H. B. 185, for the relief of Maj. D. M. Scott of Alabama National Guard, be made a paramount and continuous order to be considered immediately after House bill No. 28.

By Mr. Hoffman :

H. R. 252. Be it resolved by the House, That H. B. No. 446, to preserve and to confirm unto the purchasers of swamped and overflowed lands of the State of Alabama, the titles to lands sold by the agents of the State, and to provide for the issuance of patents to same and the sufficiency of proof upon which such patents shall issue, be set down as a special order for consideration immediately after the reading of the journal on the forty-second (42) day of the session of the House, and be made a continuing special order until disposed of.

By Mr. Long, of Butler :

H. J. R. 253. Whereas, the wild bird life of the State has decreased more than eighty per cent. in the last decade, due largely to the destruction of the feathered chorists of the trees by thoughtless and relentless boys, who persist in killing our beautiful songsters for sport and indulge in the insidious mania of egg hunting.

And whereas, a sentiment should be developed in Alabama that would cause the wanton extermination of wild birds to cease, which cannot be generated in a surer way than by impressing upon the youthful mind the fact that birds are of an inestimable value to man, and that without their unremitting services, our fields and gardens would be laid waste by insect pests; therefore, be it resolved by the House, the Senate concurring, that the Superintendent of Education be, and he is hereby requested to designate one day in each year to be known as "Bird Day", which shall be devoted in the schools of this State to the study of birds, their habits, and their usefulness to man, that the students may learn that the study of birds tends to develop some of the best attributes and noblest impulses of our natures. Resolved, further, that the Superintendent of Education be, and is hereby requested to suggest a suitable programme for "Bird Day", the same to be forwarded to the teachers far enough in advance that the students may collect data relating to birds, and be prepared to enter intelligently into the full spirit of the exercises had on this occasion.

By Mr. Jenkins:

H. R. 254. Be it resolved by the House, That H. B. 1085, to amend an act to establish a State live stock sanitary board, and the office of State veterinarian, in order to further protect live stock from contagious and infectious diseases, and provide for eradicating and excluding such diseases from Alabama, approved March 12th, 1907, be set down for a special, continuing order until disposed of, immediately after the reading of the journal on Thursday, July 18th, 1907, or on the first legislative day thereafter.

By Mr. Carmichael, of Colbert:

H. J. R. 255. Whereas, the Legislature of Alabama has legal notice of a vacancy in the representation of the State in the Senate of the United States, caused by the death of Senator John T. Morgan;

Now, therefore, in conformity with the law in such cases, be it resolved by the House of Representatives, the Senate concurring, that on Tuesday, July 16th, 1907, at twelve o'clock m., being the second Tuesday after the organization of the Legislature, and notice of the vacancy, each House shall openly by a viva voce vote of each member present name a person for Senator in Congress from the State of Alabama to fill the vacancy.

That on Wednesday, July 17th, 1907, at twelve o'clock, Meridian, the members of the two Houses convene in joint assembly in the Hall of the House of Representatives, and declare the election as Senator of the person who shall receive a majority of all the votes in each House.

By Mr. Ragsdale:

H. R. 256. Resolved, that H. B. 936, proposing an amendment to the Constitution, be made a special, continuous and paramount order for Wednesday, July 17th, 1907, immediately after the special orders heretofore made.

By Mr. Rowe:

H. R. 257. Resolved, that H. B. 220, with substitute, to protect sheep, cattle, horses, swine and other live stock and fowls from injuries by dogs, to provide a fund by the taxing of dogs out of which the owners of such sheep, cattle, horses and other live stock and fowls may be reimbursed for such injuries, to provide penalties for the violations of the provisions hereof, and to repeal all conflicting laws, be set for such time as is convenient by Rules committee.

By Mr. Sherrod:

H. R. 258. Resolved that the rules of the House be so amended as to make the hour of opening the morning session 9 a. m. instead of 8:30 a. m.

By Mr. Cranford:

H. R. 259. Resolved, that H. 1129 and H. 1130, to encourage the development of water powers and the manufacture of lime nitrogene, be made special orders for July 17th, 1907, immediately after reading of the Journal and continuously until disposed of.

By Mr. Goodwyn:

H. R. 260. Resolved that H. B. 778, to prevent the shooting of live pigeons, etc., be made a special order for such day as may be named by the Rules committee.

By Mr. Bulger:

H. R. 261. Resolved, that H. B. 1024, on page 75 of today's calendar, be made a special, continuous order at eleven o'clock on Thursday, July 18th. This bill provides for the assessment and collection taxes upon cotton mills or cotton factories in this State, for the fractional part of the year from February 13th, 1907, to October 1st, 1907, the time of exemption from taxation of said cotton factories having expired February 13, 1907.

By Mr. John:

H. R. 262. Resolved, that during the remainder of this session a member shall not speak on any question more than ten minutes without the leave of the House.

By Mr. John:

H. R. 263. Resolved, that on and after the forty-fourth legislative day, the call of the counties shall be suspended, and any member desiring to introduce a bill or resolution may do so before the House proceeds to the regular business of the day.

By Mr. Pitts, of Perry:

H. R. 264. Resolved, that House bill No. 558, relative to child labor, be made a special, paramount and continuing order for the seventeenth day of July, immediately after the report of the standing committees.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Ballard, of Autauga, (with notice and proof):

H. 1228. For the relief of T. W. Smith, clerk of the circuit court of Autauga county, Alabama.

Judiciary.

Notice and Proof. H. 1228.

The State of Alabama, }
County of Autauga. }

Before me, J. R. Thomas, a notary public in and for said State and county, personally appeared Chas. T. Kent, who, being duly sworn, deposes and says: That he is the manager of the "Prattville Progress," a weekly newspaper published in Prattville, Autauga county, Alabama, and that the following notice (a printed copy of which is as follows):

NOTICE.

Notice is hereby given that at the July session of the Legislature of Alabama a bill will be introduced for passage in substance as follows: For the relief of T. W. Smith, clerk of the circuit court of Autauga county, to arrange for refunding to him \$28.50, paid into the State treasury by mistake as solicitor's fee in the case of the town of Prattville vs. Alvin Olderson. 6-21-4t

Has been published in said newspaper once a week for four consecutive weeks, before the making of this affidavit.
Chas. T. Kent, Manager.

Sworn to and subscribed before me, this 15 day of July, 1907.
J. R. Thomas,
Notary Public.

By Mr. Arnold, (with notice and proof) :

H. 1229. To authorize the board of directors of the State Normal School at Jacksonville, for and in behalf of said normal school and for and behalf of the State of Alabama to sell and convey to the mayor and city council of Jacksonville a certain house and lot on or near the south-east corner of the public square of the town of Jacksonville, Alabama, the same being the house and lot formerly used and occupied by Calhoun county as a county court house, and now used by said normal school for school purposes; the proceeds of said sale to be used and applied by said board of directors of the State Normal School at Jacksonville, for the benefit of said normal school.

Education.

Notice and Proof. H. 1229.

The State of Alabama, }
Calhoun County. }

Personally appeared before me, H. H. Montgomery, a notary public in and for said county, the undersigned, Walter J. Clark, who, being by me duly sworn, doth depose and say that he is the publisher of The Jacksonville

Record, a weekly newspaper published in Jacksonville, Calhoun county, Alabama, and that the notice, of which the following is a true and correct copy, was published once a week for four consecutive weeks in said newspaper, beginning on the 14th day of June, 1907, viz.:

NOTICE.

"Notice is hereby given that application will be made to the present Legislature of Alabama, the adjourned session of which meets on the 9th day of July, 1907, to pass an act authorizing the "Board of Directors of the State Normal School at Jacksonville," for and in behalf of said normal school and for and behalf of the State of Alabama, to sell and convey to the mayor and city council of Jacksonville, a certain house and lot on or near the southeast corner of the public square of the town of Jacksonville, Alabama, the same being the house and lot formerly used and occupied by Calhoun county as a county court house, and now used by said normal school for school purposes. The proceeds of said sale shall be used and applied by said "Board of Directors of the State Normal School at Jacksonville" for the benefit of said normal school."

Walter J. Clark.

Sworn to and subscribed before me on this the 15th day of July, 1907.

H. H. Montgomery,
Notary Public.

By Mr. Arnold:

H. 1230. To amend section 15 of an act entitled, "An act to establish a uniform system for the examination and licensing of teachers of public schools," approved February 10th, 1899.

Education.

By Mr. Oliver:

H. 1231. To fix the times and places of holding the chancery court in the Northeastern chancery division of Alabama.

Judiciary.

By Mr. Carmichael, of Colbert:

H. 1232. To make further provisions for defraying the expenses of the Legislature.

Appropriations.

By Mr. Rushton:

H. 1233. To make it unlawful for any person to carry about his person a pistol or fire arms of any other kind or description, or air gun, other than on his own premises or from the place of purchasing such fire or air gun, to his premises or place of business, shorter than twenty-four inches in length, and to fix the burden of proof and the punishment for the violation thereof.

Revision of Laws.

By Mr. Rushton, (with notice and proof):

H. 1234. To authorize and direct the court of county commissioners of Crenshaw county to pay for advertising the notice and substance of local bills introduced in the Legislature for said county, out of any money in the treasury not otherwise appropriated, when the bill applies to the entire county and ordered published by the Representative of said county, and this act shall apply to and include the notice and substance of bills advertised at and during the present session of the Legislature.

Public Printing.

Notice and Proof. H. 1234.

Notice is hereby given that the following bill will be presented for enactment into law by the Legislature of Alabama, at the session beginning Jan. 8, 1907:

A BILL

To be entitled an act to direct the court of county commissioners of Crenshaw county to pay for advertising ordered by the present and future Representatives in the Legislature from said county.

Section 1. Be it enacted by the Legislature of Alabama. That the court of county commissioners of Crenshaw county, Alabama, be and are hereby directed

to pay the advertising bills created by the present and future Representative of said county in accordance with the constitutional provision requiring notice to be given before local legislation can be enacted into law.

The State of Alabama, }
Crenshaw County. }

Personally appeared before me, M. N. Rushton, a notary public in and for said county, W. B. Howard, who, being by me duly sworn, says on oath that he is the editor and publisher of the Crenshaw County Critic, a newspaper published in said Crenshaw county, and that the notice of and substance of a bill, to direct the court of county commissioners of Crenshaw county to pay for advertising ordered by the present and future Representatives from said county, a copy of which notice and substance of the bill is hereto attached, was published in the Crenshaw County Critic once a week for four consecutive weeks before this date. This 12th day of July, 1907.

W. B. Howard.

M. N. Rushton,
Notary Public.

By Mr. Henley:

H. 1235. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating beverages within the State of Alabama.
Temperance.

By Mr. Smith, of Franklin, (by request):

H. 1236. To amend section 3622 of the Code of 1896.
Education.

By Mr. Smith, of Franklin, (with notice and proof):

H. 1237. To create the city court of Red Bay in Franklin county, Alabama, and provide for its jurisdiction and regulation; and to abolish the office of justice of the peace within Red Bay precinct.

Judiciary.

'Notice and Proof. H. 1237.

NOTICE.

A bill will be introduced at the adjourned term of the Legislature which convenes in the city of Montgomery, Ala., on the 9th day of July, 1907, entitled, "An act to establish an inferior court for Red Bay precinct, Franklin county, Ala., in lieu of all the justices of peace therein to be called the 'city court of Red Bay.'" The said act will provide for the jurisdiction of said court, election of a judge, his salary, bond, provision for courtroom, dockets and regulation of the trial of cases both criminal and civil. It will further provide court officers, pay of witnesses, and provide for settlement and report to court of county commissioners of fines, forfeitures and costs. The bill will also abolish the offices of justices of peace in Red Bay precinct.

The State of Alabama, }
Franklin County. }

Before me, B. H. Sargent, notary public in and for said State and county, came J. C. Norwood, editor of The Franklin Times, a weekly newspaper published at Russellville in said State and county, who, being duly sworn deposes and says that notice attached hereto was published in his said newspaper for four successive issues prior to making of this affidavit.

J. C. Norwood.

Sworn to and subscribed before me this the 11th day of July, 1907.

B. H. Sargent,
Notary Public.

My term of office expires on the 7th day of Apr., 1909.

B. H. Sargent,
Notary Public.

By Mr. Alford (with notice and proof.)

H. 1238. To regulate dispensaries now operated or which may be operated by municipalities in the county

of Geneva, to prescribe and fix a license on each dispensary in addition to that already imposed under the general law; to provide for the payment of such license fee to the judge of probate of Geneva county, and to give the court of county commissioners power to disburse the fund created by such license, at its discretion, either in building, repairing or furnishing school houses and buildings exclusively for rural districts of Geneva county, or for repairing the public roads of Geneva county, or for supplementing pensions to pensioners of the first class, or for all said purposes, and to provide a penalty for the failure to pay such license.

Temperance.

Notice and Proof. H. 1238.

NOTICE.

Notice is hereby given that application will be made to the adjourned session of the Legislature of Alabama, which convenes on the 9th day of July, 1907, for the passage of the following law:

A BILL

To be entitled an "Act to regulate dispensaries now operated, or which may be operated by municipalities in the county of Geneva; to prescribe and fix a license on each dispensary in addition to that already imposed under the general law; to provide for the payment of such license fee to the judge of probate of Geneva county, and to give the court of county commissioners power to disburse the fund created by such license, at its discretion, either in the building, repairing and furnishing school houses and buildings exclusively for the rural districts of Geneva county, or for repairing the public roads of Geneva county, or for supplementing pensions to pensioners of the first class, or for all of said purposes, and to provide a penalty for the failure to pay such license."

Section 1. Be it enacted by the legislature of Alabama, That each municipality now operating, or which may hereafter operate and maintain a dispensary for the sale of liquors, or other intoxicants in the county of Geneva, shall pay annually to the judge of probate of Geneva county, in addition to the amount now required to be paid under the general law, the following amount, to-wit: Towns or cities of less than one thousand people, \$750.00: Towns or cities of more than one thousand and less than fifteen hundred, \$1000.00; Towns or cities of more than fifteen hundred and less than two thousand people, \$1500.00; Towns or cities of more than two thousand and less than twenty-five hundred people, \$2000.00, and Towns or cities of more than twenty-five hundred people, 2500.00, and the population of each town shall be determined as hereinafter provided.

Sec. 2. Be it further enacted, That the amount herein required of any town or city shall be paid as follows: One-fourth thereof on or before January 15; one-fourth on or before April 1; one-fourth on or before July 1, and the remaining one-fourth on or before October 1, of the year in which the dispensary is operated. Provided, however, that any municipality which shall commence operating a dispensary after July 1, may pay only one-half the amount required for the full year.

Sec. 3. Be it further enacted, That the proceeds collected from this source shall be paid over to the county treasurer by the judge of probate, and shall be kept by the said treasurer in a separate fund, known and designated as the "Dispensary Fund," and shall be paid out by him on warrant order by the court of county commissioners, and drawn for any of the purposes hereafter named, and shall be paid on no other account.

Sec. 4. Be it further enacted, That the funds derived from this license shall be under the exclusive control of the court of county commissioners of Geneva county, and said court shall have the right, and it is hereby made its duty to use said fund for any or all of

the following purposes, and none other, to-wit: (a) To improve the public roads of Geneva county, and keep the same in repair; (b) To build, repair or furnish school buildings exclusively in the rural districts of the county, Provided, that no money shall be appropriated for the purpose of building, repairing or furnishing any school, unless and until the patrons of such school shall collect and pay to the judge of probate an amount equal to one-third of the proposed appropriation. And, provided further, that no appropriation for building, repairing or furnishing any school shall exceed the sum of five hundred dollars. (c) To supplement the amount appropriated to each pensioner of the first-class in Geneva county, not to exceed twenty-five dollars to any one.

Sec. 5. Be it further enacted, That the money expended by the court of county commissioners in improving the roads and in building, repairing, or furnishing school buildings, shall be done so under contract to responsible bidders and contractors, and it shall be the duty of the court of county commissioners in every case where contract is let hereunder, to require of the contractor a good and sufficient bond, in such sum as may be by it prescribed, for the faithful performance of the contract. Provided, however, that if there is at this session of the legislature any local road law passed for Geneva county, then such local law, as to the disbursement of the road fund created hereby, and as to contracts for the improvement of such roads, shall govern as to the disbursement of the road fund herein created and the contract with respect to them.

Sec. 6. Be it further enacted, That it shall be the duty of the court of county commissioners between January 1st and 15th of each year, in all cases where such court has doubt as to whether the population of any town operating a dispensary has less than one thousand inhabitants, to cause a census of the population thereof to be taken, and the license herein required shall be determined according to the census thus taken, and the expense of taking such census shall be paid out of the fund herein created.

Sec. 7. Be it further enacted, That any person, firm or municipality, who shall engage in the operation of a dispensary without having taken out license as herein required, or without paying the amount as herein provided, the amount to be based upon the population as ascertained by the preceding section, shall be guilty of a misdemeanor, and on conviction shall be fined double the amount of the license required, as a right to operate such dispensary.

Sec. 8. Be it further enacted, That all laws or parts of laws in conflict with the provisions hereof, except as provided in section 5, be and the same are hereby repealed.

J. R. Alford.

The State of Alabama, }
County of Geneva. }

Before me, W. M. Jerkins, a notary public, ex-off. J. P., in and for said State and county, personally came J. E. McCants, who, being duly sworn, says that he is the editor and manager of The Hartford Times-Herald, a newspaper published in Hartford, in said county; and that said Hartford Times-Herald is a newspaper published in said county, and that the attached notice was published once a week for four consecutive weeks in said newspaper, before the making of this affidavit.

J. E. McCants.

Sworn to and subscribed before me this 6th day of July, 1907.

W. M. Jerkins,

Notary Public, ex-off. J. P.

By Mr. John:

H. 1239. To empower the governor to suspend the collection of such portion of the general tax as may not be needed.

Ways and Means.

By Mr. John:

H. 1240. To fix the salary of the attorney-general of Alabama.

Judiciary.

By Mr. John, (with notice and proof) :

H. 1241. To change the line between Shelby and Jefferson counties. County and County Boundaries.

Notice and Proof. H. 1241.

PROOF OF PUBLICATION.

H. E. Whitaker, being duly sworn, says he is publisher of the Columbiana Sentinel, a weekly paper published in Shelby county, Ala., and that the attached notice was published in the said Columbiana Sentinel for four (4) consecutive weeks under dates of February 14, 21, 28 and March 7, 1907.

Signed. H. E. Whitaker.
Publisher Columbiana Sentinel.

Subscribed and sworn to before me this 29th day of March, 1907.

Annie Finley,
Notary Public.

NOTICE

Is hereby given that persons interested intend to apply to the General Assembly of Alabama at its session of 1907, for the enactment of a law changing the county boundary line dividing the county of Jefferson in the State of Alabama, from the county of Shelby in said State, so that from the point where the East Cahaba river intersects the line dividing township 18, range 2, west, from township 19 in said range, said county line shall run eastward along the township line to the southwest corner of the southeast fourth of section 32 of township 18, south, range 1, west, and thence in a straight line northeastwardly to the northwest corner of the southeast fourth of the northwest fourth of section 23 of township 18, south, range 1, west, and thence directly into the line which now divides said counties and which continues northeastwardly from a place at, or near said last mentioned corner, and so as to make all the territory lying north and west of said proposed boundary line which has heretofore belonged to said county of Shelby, a part of said county of Jefferson. 2-25-4.

By Mr. John (with notice and proof) for and in behalf of the State of Alabama, to change the line between Shelby and Jefferson counties.

That persons interested intend to apply to the General Assembly of Alabama at its session of 1907, for the enactment of a law changing the county boundary line dividing the county of Jefferson in the State of Alabama, from the county of Shelby in said State, so that from the point where the East Cahaba river intersects the line dividing township 18, range 2, west, from township 19 in said range, said county line shall run eastward along the township line to the south west corner of the southeast fourth of section 32 of township 18, south, range 1, west, and thence in a straight line northeastwardly to the northwest corner of the southeast fourth of the northwest fourth of section 23 of township 18, south, range 1, west, and thence directly into the line which now divides said counties and which continues northeastwardly from a place at, or near said last mentioned corner, and so as to make all the territory lying north and west of said proposed boundary line which has heretofore belonged to said county of Shelby, a part of said county of Jefferson.

The State of Alabama, to change the line between Shelby and Jefferson counties, to change the line dividing the county of Jefferson in the State of Alabama, from the county of Shelby in said State, so that from the point where the East Cahaba river intersects the line dividing township 18, range 2, west, from township 19 in said range, said county line shall run eastward along the township line to the south west corner of the southeast fourth of section 32 of township 18, south, range 1, west, and thence in a straight line northeastwardly to the northwest corner of the southeast fourth of the northwest fourth of section 23 of township 18, south, range 1, west, and thence directly into the line which now divides said counties and which continues northeastwardly from a place at, or near said last mentioned corner, and so as to make all the territory lying north and west of said proposed boundary line which has heretofore belonged to said county of Shelby, a part of said county of Jefferson.

Personally appeared before me, John B. Bethea, a notary public in and for said county, E. W. Jones, who, being duly sworn, says that he is the editor of Jones Valley Times, a weekly newspaper published in Birmingham, in said State and county, that he published the attached notice in said paper four consecutive weeks, dated Feb. 21 and 28th and March 7 and 14, 1907.

Sworn to and subscribed before me this 8th day of July, 1907.

John B. Bethea,
Notary Public.

By Mr. John (with notice and proof) for and in behalf of the State of Alabama, to change the line between Shelby and Jefferson counties.

of the peace, and notaries public, with powers of justices of the peace, in said precinct, and to define the jurisdiction and powers of said court and of the judges thereof.

Notice and Proof. H. 1242. Judiciary.
 The State of Alabama,
 Jefferson County.
 Before me, Hinds Peevey, a notary public in and for said State and county, personally appeared Frank Willis Barnett, who, being duly and legally sworn, deposes and says that he is the manager of the advertising department of the Alabama Baptist; that the Alabama Baptist is a newspaper published in the city of Birmingham, Jefferson county, Alabama; that the notice, a copy of which is hereto attached, was inserted, published and appeared regularly in the said Alabama Baptist in said Jefferson county, Alabama, once a week for four consecutive weeks, without cost to the State of Alabama.

Sworn to and subscribed before me this 11th day of July, A. D. 1907.
 Frank Willis Barnett
 Hinds Peevey,
 Notary Public.

My commission expires May 15th, 1909.

To Whom it May Concern;

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, the substance of which is to be to create a court of inferior jurisdiction in precinct forty-five of Jefferson county, Alabama, in lieu of all justices of the peace and notaries public, who are ex-officio Justices of the peace, to provide for a judge of said court, defining its jurisdiction, appointment of clerk, prescribing salaries for compensation of said judge and clerk and the payment of the expense of said court by Jefferson county, Alabama; defining the duties of the sheriff and auditor of said county and of the constable of said precinct in relation of said court.

F. D. Smith.

By Mr. Urquhart:

H. 1243. To amend sections 46 and 48 of article 4 of the constitution of Alabama.

Judiciary.

By Mr. Glover, (with notice and proof.)

H. 1244. To relieve and exempt the Alabama State Fair and Exhibit Association and all persons, firms or corporations who conduct business with said association on its fair grounds in Jefferson county, during the annual fairs of said association from the payment of all State, county and municipal taxes and licenses.

Ways and Means.

Notice and proof. H. 1244.

NOTICE.

Notice is hereby given that a bill will be introduced in the next Legislature of Alabama providing that no licenses or taxes of any character shall be required by State, county or municipality from the Alabama State Fair and Exhibit Association, or from those who conduct business under a contract with it on its grounds during the time its annual fair is actually in progress.
6-8-sat-4t

The State of Alabama, }
County of Jefferson. }

On this 6th day of July, A. D., one thousand nine hundred and seven, personally appeared before me, S. E. Thompson, a notary public in and for the county and State aforesaid, E. W. Ellis, who, being duly sworn according to law, declares that he is cashier of The Birmingham News, a newspaper published in the city of Birmingham, in the county of Jefferson, State of Alabama, and that the advertisement, notice of introduction of bill in Leg., a true copy of which is herewith attached, appeared in The Birmingham News on the following dates: June 8, 15, 22, 29, 1907.

E. W. Ellis.

Subscribed and sworn to before me this 6th day of
July, A. D., 1907.

S. E. Thompson,
Notary Public.

By Mr. Glover.

H. 1245. To amend an act entitled an act to make subject to taxation in this State money lent, solvent credits and credits of value and moneyed capital. Approved March 4th, 1907.

Ways and Means.

By Mr. Armstrong.

H. 1246. To amend sections 4106 and 4107 of the code.

Ways and Means.

By Mr. Smith, of Etowah.

H. 1247. To further protect and promote the propagation of fish and to protect private interests in ponds, pools, lakes, or other reservoirs or bodies of water containing fish.

Game, Fish and Forestry Preservation.

By Mr. Steagall.

H. 1248. To establish a county high school for Dale county, to be located at Ozark, Alabama, and to appropriate funds for its support and maintenance.

Appropriations.

By Mr. Hughston.

H. 1249. To regulate the fees of the sheriffs for feeding prisoners confined in jails under charge or conviction of any indictable offense, and to provide the payment therefor.

Claims and Fees.

By Mr. Sherrod.

H. 1250. To amend an act entitled an act to make subject to taxation, in this State, money lent, solvent credits and credits of value and moneyed capital, approved March 4th, 1907.

Revision of Laws.

By Mr. Sherrod.

H. 1251. To repeal an act, entitled an act, to make subject to taxation in this State, money lent, solvent

to cash and credit and value of money and capital, approved March 4th, 1907.
Revision of Laws.

By Mr. Sherrod.
H. 1252. To fix the time of holding the circuit court in the county of Lawrence in the eighth judicial circuit of Alabama.

By Mr. Smith, of Lee.
H. 1253. To amend section 3 of an act "relating to the preservation, propagation and protection of the fish of Alabama," approved February 19th, 1907.

Game, Fish and Forestry Preservation.
By Mr. Peete.
H. 1254. To provide for the better drainage of our public roads.

Public Roads and Highways.

By Mr. Crum (with notice and proof).
H. 1255. To require each and every person who peddles or who travel and sell at retail medicine of any kind, dry goods, notions, bibles or books, secular or religious, in Lowndes county, Alabama, to pay a license tax of seven hundred and fifty dollars, and to provide a penalty for a violation thereof.

NOTICE.

Notice is hereby given that I will introduce and seek to have passed at the adjourned term of the present Legislature a local bill for Lowndes county, requiring all persons who peddle or who travel and sell at retail any medicine, dry goods, notions, bibles or books, secular or religious, to pay a license tax of not less than seven hundred and fifty (\$750.00) dollars, and to provide a penalty for the violation thereof.

The State of Alabama
Lowndes County.

I, J. C. Wood, Judge of Probate of said county, do hereby certify that before me, J. C. Wood, Judge of Probate of said county, personally appeared Mrs. Estelle Garrett, publisher and proprietress of the Citizen Examiner, a newspaper published in said county, who being duly sworn, says on oath that the foregoing notice was published in said paper for four successive weeks, ending June the 20th, 1907.

Witness this the 6th day of July, 1907.

Mrs. Estelle Garrett, Publisher.
J. C. Wood, Judge of Probate.

Sworn to and subscribed before me this the 6th day of July, 1907.

J. C. Wood, Judge of Probate.
To purchase a life sized picture of General H. 1256.

H. 1256. For the improvement of the public roads of Lowndes county.

Public Roads and Highways.
To amend section 5 of an act entitled an act to further regulate elections in the State of Alabama, approved October 9, 1903.

Notice and proof H. 1256.

NOTICE.

Notice is hereby given that I will introduce and seek to have passed at the adjourned term of the present Legislature, a bill to provide for the improvement of the public roads of Lowndes county, which bill will be first brought to the office of and provide for the election of a road supervisor for Lowndes county, fix his salary and prescribe his duties.

Second. Provide for compensation for public road overseers and enlarge their duties.

Third. Provide for the levying of a tax of two and one-half (2 1/2) mills, and a tax on vehicles, to provide a fund to be applied to the improvement of the public roads of Lowndes county. All Colmanial shall be amended at the discretion of the legislature as follows: That road superintendents shall be not less than 21 years of age. The ten days work on

The State of Alabama, }
 Lowndes County. }

Before me, J. C. Wood, probate judge of Lowndes county, Ala., Mrs. Estelle Garrett personally appeared, and being by me duly sworn, deposes and saith on oath that she is the publisher and proprietess of the Citizen-Examiner, a newspaper published in said county, who, being duly sworn, says on oath, that the foregoing notice was published in said paper for four successive weeks, ending June 20th, 1907.

Mrs. Estelle Garrett, Affiant.

Subscribed and sworn to before me this the 6th day of July, 1907.

J. C. Wood,
 Judge of Probate.

By Mr. Coleman, of Lowndes.

H. 1257. To purchase a life sized picture of General John B. Gordon.

Appropriations.

By Mr. Woolf.

H. 1258. To amend section 5 of an act entitled an act to further regulate elections in the State of Alabama, approved October 9, 1903.

Privileges and Elections.

By Mr. Woolf (with notice and proof.)

H. 1259. To amend sections 4, 13, 20, 17, 24, 25 and by adding section 28 1-2 to the provisions of an act entitled "An act to provide a road law for the county of Marengo, and to enforce the same," approved February 26, 1907.

Public Roads and Highways.

NOTICE.

An act to provide a road law for the county of Marengo, and to enforce the same passed by the late Legislature, will be amended at the July session of the Legislature as follows: That road superintendents shall be not less than 21 years of age. The ten days work on

public roads to be performed at such times and places during the year as the road board may direct. The compensation of road superintendents not to exceed three dollars per day for actual service; the commutation fee may be paid in full at first warning or one-half at first warning, and the balance at second warning, at option of payer. The residents of towns who have paid a street tax to be credited for not more than two dollars on road commutation or for the equivalent of two dollars in time if they have actually worked on the streets of their town, this provision to go into effect January 1st, 1908.

The superintendents may appoint a man to warn hands and give the warner credit on his road service for time taken to warn hands. The justice or judge collecting commutation fee to have 25 cents for each receipt of full payment of road fee, and 12 1-2 cents for each certificate where payment is divided.

That twenty-five active members of any regular chartered fire company to be exempt from road duty, and to require, if the road board shall deem it expedient, the county treasurer to give bond as the custodian of the road fund.

The State of Alabama, }
Marengo County. }

Before me, Lamar Matkin, a notary public in and for said State and county, personally appeared B. H. Robertson, known to me to be the publisher of the Marengo Democrat, who, being duly sworn, deposes and says, that the hereunto attached notice was published for four consecutive weeks in The Marengo Democrat, a newspaper published weekly at Linden, Alabama.

B. H. Robertson,
Publisher Marengo Democrat.

Subscribed and sworn to before me this the 12th day of July, 1907.

Lamar Rankin,
Notary Public.

By Mr. Mitchell. Public roads to be performed at such
H. 1280. To amend section 11 of an act entitled
act to amend Sections 5522 (4450) (775) (859) (7271)
and 5524 (4452) (777) of the code of 1896, approved
October 10, 1903.

BY MR. MITCHELL.

H. 1267. "To amend an act to reduce and fix the rate of taxation in this State, approved March 4, 1908; so no

By Mr. Mitchell.

H. 1262. To require county officers and courts of county commissioners to have printed and purchase stationery and other material for the use of a county office from a person residing and doing business in the county of the residence of such officer, if such purchase can be made at a price not exceeding that at which it can be made without the county, material and workmanship being equal, and to provide that payment therefor shall not be made when not purchased as required in this act.

By Mr. Mitchell.

H. 1263. To authorize the court of county commissioners or board of revenue or court of like jurisdiction, in the several counties of the State to make an order on petition of any bona fide free holder, or bona fide free holders in any precinct in any county in Alabama, owning a free hold estate in such precinct which free hold estate adjoins a stock law precinct or, which adjoins another free hold estate adjoining a stock law precinct and included in such petition, declaring that the free hold estates of such petitioners described in such petition shall be under and governed by the general stock law of Alabama.

Local Legislation.

to fix the compensation of the registrars of the different counties of the State.

Claims and Fees.

By Mr. Mitchell.

NOTICE

H. 1265. To authorize the clerk of the circuit court of each county of the State on the approval of the presiding judge to employ a deputy clerk during the term of each court and to provide for the payment of such services.

By Mr. Hoffman.

H. 1266. To punish persons having the care or custody of children having negro blood in them who permit or suffer said children to be admitted into the public schools of the State of Alabama, set apart for children who are not negroes.

Second—An act to allow the sheriff of Bullock county

By Mr. Powell, of Bullock, (with notice and proof.)

H. 1267. To provide for the payment by the court of county commissioners of Bullock county, Alabama, out of the county treasury for removal fees, mileage and per diem for the removal of persons charged with misdemeanors.

Local Legislation for the removal of persons charged with felonies.

Notice and proof H. 1267.

By Mr. Powell, of Bullock, (with notice and proof.)

H. 1268. To allow the sheriff of Bullock county, Alabama, for fees for attendance upon the grand jury and for the cost of the grand jury.

Before me, J. T. Norman, a notary public in and for the county and State aforesaid, personally appeared P. F. Miles who, being by me first duly sworn, deposes and says, that he is the editor of the Union Springs Herald, and that the attached notice as it appears, was published in said paper once a week for the four successive weeks immediately preceding July 9th, 1907.

Before me, J. T. Norman, a N. P. ex-off. J. P. in and for the county and State aforesaid, personally appeared P. F. Miles who, being by me first duly sworn, deposes and says, that he is the editor of the Union Springs Herald, and that the attached notice as it appears, was published in said paper once a week for the four successive weeks immediately preceding July 9th, 1907.

NOTICE.

Notice is hereby given that at the adjourned session of the present Legislature of Alabama, which convenes on, to-wit: July the 9th, 1907, application will be made to have enacted for Bullock county the following local laws, to-wit:

An act to provide that the sheriff of Bullock county, Alabama, shall receive for "impanelling grand juries, advertising and attending all elections in his county, and for all other public service otherwise provided for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury, not exceeding five hundred (\$500.00) dollars per annum."

Second—An act to allow the sheriff of Bullock county for fees for attendance upon the trial of any habeas corpus case before any judge or court the sum of \$2.00 per day.

An act to provide for the payment by the court of county commissioners out of the county treasury for the removal of persons charged with misdemeanors the same fees, mileage and per diem as are now provided by law for the removal of persons charged with felonies.

By Mr. Powell, of Bullock, (with notice and proof.)

H. 1268. To allow the sheriff of Bullock county, Alabama, for fees for attendance upon the trial of any habeas corpus case before any judge or court, and to authorize the commissioners' court of said county, to pay the same out of the general fund of the county.

Local Legislation.

Notice and Proof. H. 1268.

The State of Alabam, }
Bullock County. }

Before me, J. T. Norman, a N. P. ex-off. J. P. in and for the county and State aforesaid, personally appeared P. F. Miles, who, being by me first duly sworn, deposes and says, that he is the editor of the Union Springs Herald, and that the attached notice as it appears was pub-

lished in said paper once a week for four successive weeks, immediately preceding July 9th, 1907.

P. F. Miles.

Sworn to and subscribed before me on this the 12th day of July, 1907.

J. T. Norman,
N. P. ex-off. J. P.

NOTICE.

Notice is hereby given that at the adjourned session of the present Legislature of Alabama, which convenes on, to-wit: July the 9th, 1907, application will be made to have enacted for Bullock county the following local laws, to-wit:

An act to provide that the sheriff of Bullock county, Alabama, shall receive for "impaneling grand juries, advertising and attending all elections in his county, and for all other public service otherwise provided for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury not exceeding five hundred (\$500.00) dollars per annum.

Second—An act to allow the sheriff of Bullock county for fees for attendance upon the trial of any habeas corpus case before any judge or court the sum of \$2.00 per day.

An act to provide for the payment by the court of county commissioners out of the county treasury for the removal of persons charged with misdemeanors the same fees, mileage and per diem as are now provided by law for the removal of persons charged with felonies.

June 3, 1907.

j5-3t

By Mr. Goodwyn, (with notice and proof.)

H. 1269. For the relief of Mrs. Catherine Morrison.
Appropriations.

Notice and Proof. H. 1269.

The State of Alabama, }
Montgomery County. }

I, F. H. Miller, manager of the Montgomery Journal, a daily newspaper published in the city of Montgomery,

State of Alabama, do hereby certify that the notice herein attached for the relief of Mrs. Catherine Morrison has been published in said newspaper for three consecutive weeks, beginning with the issue of February 11th, 1907, to wit: February 11th, February 18th and February 25th, 1907.

F. H. Miller.

I. U. Ho-zo P. N.

Sworn to and subscribed to before me this 16th July, 1907.

Ruth Beale,

Notary Public.

NOTICE

Notice is hereby given that the Legislature of Alabama, which convened on January 8th, 1907, will be asked to enact a law for the relief of Mrs. Catherine Morrison, widow of the Rev. R. C. Morrison, deceased. The relief sought being to have the name of said Mrs. Catherine Morrison placed upon the pension roll of confederate veterans and their widows and orphans of Alabama for the years 1905, 1906 and 1907, or any one of said years, in order that she may draw a pension from the State of Alabama as provided for under the law of Alabama for widows and confederate veterans. R. T. Goodwyn.

By Mr. Goodwyn, (with notice and proof.)

H. 1270. To require the tax assessor of Montgomery county to make annually a lot book showing in abstract form all subdivisions which have been or which may be hereafter made of all property in Montgomery county, and the name of the person, firm, or corporation to whom each lot or subdivision is assessed for the current year; and to provide compensation therefor.

Local Legislation.
Notice and Proof. H. 1270.

Montgomery County.

State of Alabama,

I, Horace Hood, editor of The Montgomery Journal, a daily newspaper published in the city of Montgomery, Alabama, do hereby certify that the notice hereunto at-

attached, has been published in said newspaper for four consecutive weeks, beginning with issue of June 19, 1907.

Sworn to and subscribed to before me, W. R. McDade, a notary public, this the 15th day of July, 1907.

W. R. McDade, N. P.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at the adjourned session to be held in July,

To require the tax assessor of Montgomery county to make annually a lot book, showing in abstract form, all legal subdivisions which have been or which may hereafter be made of all property in Montgomery county and the name of the person, firm or corporation to whom each lot or subdivision is assessed for the current year; and to provide compensation therefor.

By Mr. Long, of Morgan, (with notice and proof.)

H. 1271. To amend an act entitled "an act, to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers, their powers, duties and compensation, to fix the terms of said court; and to prescribe rules and procedure for said court," approved February 25, 1907; by amending sections 6 and 7 of said act; and by adding section 37, providing that the judge of the said Morgan county law and equity court be authorized and empowered to direct the sheriff of Morgan county to appoint a sufficient number of deputies to serve the process of this court, and perform other necessary and proper duties and to provide for the compensation of the sheriff, deputies and janitor for said court; and by adding section 38, providing for the trial of all causes removed to the Morgan county law and equity court from any other court in Morgan county; and by adding section 39, providing that a session of said court may be held at any time and for such purpose as the judge of said court may determine, and for which petit and grand jurors may be

summoned and empanelled; and by adding section 40 providing for rendering final judgment upon forfeited bonds; and by adding section 41 providing for the investigation of charges against any defendant in the county court of Morgan county, Ala., by the grand jury of the Morgan county law and equity court.

Judiciary.

Notice and proof H. 1271.

NOTICE.

Notice is hereby given that a bill will be introduced at the July session of the legislature of Alabama, the substance of which will be to amend an act, entitled "an act to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers their powers, duties and compensation; to fix the terms of said court and to prescribe rules and procedure for said court," approved February 25, 1907, which said amendments are substantially as follows:

Section six of said act is to be amended by adding the following:

The Morgan county law and equity court shall hold its sessions in the room at the court-house of Morgan county, Alabama, now used for a court-room by the circuit court. If the said circuit court shall be in session and is using said court-room, the Morgan county law and equity court is hereby empowered and authorized to use as its court-room, the room in said court-house now used by the board of county commissioners for holding its sessions of court, and which is on the first floor of said court-house and is the southeast room.

Section seven of said act is to be amended by striking out the word "thirty," which is the three hundredth and sixty-fourth word in said section, and inserting in lieu thereof—the word "fifteen."

Also, shall provide that the judge of this court shall be authorized to allow amendments to the pleadings in any cause, at any time he may deem it proper so to do, and such amendment shall not work a postponement or continuance of the trial of the cause, unless the judge

may be of the opinion that it would be hurtful or injurious to the litigant unless a continuance or postponement were granted. Also, by adding to said act, section 37, which section shall provide in substance that the judge of this court be authorized and empowered to direct the sheriff of Morgan county to appoint a sufficient number of deputies to serve the processes of this court and perform such other duties as may be necessary and proper for the administration of the duties of said court; that each deputy shall be a fit, reputable, sober and competent man, and the judge of this court is to be the sole judge of his fitness, sobriety and competency; that each deputy shall receive for each day that he actually serves said court during any of its terms, whether regular or special, the sum of two dollars, and the sheriff shall also receive the sum of two dollars for each day he actually waits upon said court; that the said deputies and the said sheriff shall be paid out of the general funds in the treasury of Morgan county, Alabama, in like manner as other debts are now paid; that said court may have a janitor, whose duties shall be to wait upon the court during any of its terms and whenever necessary, and shall receive as compensation therefor the sum of two dollars per day, to be paid out of the general fund in the treasury of Morgan county, Alabama; the same as other debts are now paid. Also, by adding thereto, section 38, which shall provide for the trial of all causes removed to this court from any other tribunal in Morgan county, including the chancery court, circuit court, county court, justices' court and the mayor's court of any municipality in said county. Also, by adding thereto, section 39, which shall provide that if at any time during a vacation of the court or during any regular term of said court in the opinion of the judge of this court, a session of the court should be held, the judge of said court, upon making a minute entry therefor, is empowered and authorized to declare said court in session for such purpose or any other purpose that he may deem proper, and may order a grand jury to consider matters that may come before it, and

a petit jury or juries to try any cause whatsoever that may be set down for hearing, and the sheriff shall, upon the order of the court, summon such juries as may be prescribed and authorized by the court.

By adding thereto section 40, which shall provide that if for any reason, a forfeiture is taken upon any bond, the court may order the alias capias returnable at any time during the term of the court, provided it is not earlier than 30 days, and unless the party or parties against whom the forfeiture is taken can show good cause of the time such capias is returnable, why the forfeiture should be set aside, then, the court may make the judgment final.

By adding thereto section 41, which shall provide that for any reason a defendant in the county court of Morgan county, Alabama, shall desire that a grand jury investigate his case, he may demand of the judge of this court that a grand jury investigate his case and enter into a bond to appear at the next term of this court, and from term to term thereafter until discharged by due course of law, which bond shall be approved by the judge of this court.

W. H. Long, Jr.
A. J. Harris,
S. A. Lynne.

State of Alabama,
Morgan County.

Before me, Frank J. Davis, a notary public, in and for said State and county, this day personally appeared Harold E. Hildreth, who being by me duly sworn, deposes and says that he is the publisher of the New Decatur Advertiser, a newspaper published in New Decatur, Morgan county, Alabama; that notice of the intention to apply to the present session of the Legislature of Alabama for the passage of an act to amend an act, establishing in and for Morgan county, Ala., the Morgan county law and equity court, has been published without cost to the State of Alabama, in said newspaper once a week for four consecutive weeks, beginning with the 20th day of June, 1907, issue of said paper, and appearing in the issues of June 20th, June 27th, July

4th and July 11th, 1907, respectively, and concluding with the July 11th issue of said paper; that the notice herein referred to, stated the substance of said proposed amendatory act as is shown by a copy of said notice as published and appearing in each of the issues of said paper as hereinabove stated, and which said copy is hereto attached and marked exhibit A and made a part of this affidavit.

Harold E. Hildreth.

Sworn to and subscribed before me, this July 1, 1907.

Frank J. Davis,
Notary Public.

By Mr. Long, of Morgan, (with notice and proof.)

H. 1272. To provide for the transfer of civil causes pending in the circuit court of Morgan county, Alabama, to the Morgan county law and equity court, and to provide for the trial of said causes so transferred.

Judiciary.

Notice and Proof. H. 1272.

The State of Alabama, }
Morgan County. }

Before me, Frank J. Davis, notary public in and for said State and county, this day personally appeared Harold E. Hildreth, who, being by me duly sworn, deposes and says that he is the publisher of the New Decatur Advertiser, a newspaper published in New Decatur, Morgan county, Alabama; that notice of the intention to apply to the present session of the Legislature of Alabama for the passage of an act to provide for the transfer of civil causes pending in the circuit court of Morgan county, Alabama, to the Morgan county law and equity court, and to provide for the trial of said causes so transferred, has been published without cost to the State of Alabama in said newspaper once a week for four consecutive weeks, beginning with the 20th day of June, 1907, issue of said paper, and appearing in the issues of June 20th, June 27th, July 4th and July 11th, 1907, respectively, and concluding with the July 11th

issue of said paper; that the notice herein referred to stated the substance of said proposed act as is shown by a copy of said notice as published and appearing in each of the issues of said paper as hereinabove stated, and which said copy is hereto attached and marked exhibit A and made a part of this affidavit.

Harold E. Hildreth.

Sworn to and subscribed before me this July 11th,
1907.

Frank J. Davis,
Notary Public.

Notice is hereby given that at the July session of the Legislature of Alabama, there will be introduced a bill, which in substance is as follows: That all civil causes pending in the circuit court of Morgan county, Alabama, at the time this act is approved, may be transferred to the Morgan county law and equity court upon written request to the clerk of the circuit court by either the complainant or defendant, or their agents or attorneys, at any time within ninety days after this act is approved. That when the cause so transferred is entered upon the docket of the Morgan county law and equity court the said Morgan county law and equity court shall have the exclusive jurisdiction of the said cause.

W. H. Long, Jr.

A. J. Harris,

S. A. Lynne.

By Mr. Long, of Morgan, (with notice and proof.)

H. 1273. To provide for the transfer of all causes charging the commission of a misdemeanor, presented by indictment to the grand jury of the circuit court of Morgan county, Ala., to the Morgan county law and equity court of Morgan county, Ala., and to provide for the trial and proceedings in said causes.

Judiciary.

Notice and Proof. H. 1273.

State of Alabama,
Morgan County.

Before me, Frank J. Davis, notary public in and for said state and county this day personally appeared Harold E. Hildreth, who being duly sworn, deposes and says that he is the publisher of the New Decatur Advertiser, a newspaper published in New Decatur, Morgan county, Alabama; that notice of the intention to apply to the present session of the Legislature fo Alabama for the passage of an act to provide for the transfer of all cases charging the commission of a misdemeanor presented by indictment by the grand jury of the circuit court of Morgan county, Ala., to the Morgan county law and equity court of Morgan county, Ala., and to provide for the trial and proceedings in said causes, has been published without cost to the State of Alabama; in said newspaper once a week for four consecutive weeks, beginning with the 20th day of June, 1907, issue of said paper, and appearing in the issues of June 20th; June 27th; July 4th and July 11, 1907, respectively, and concluding with the July 11th issue of said paper; that the notice herein referred to, stated the substance of said proposed act as is shown by a copy of said notice as published and appearing in each of the issues of said paper as hereinabove stated, and which said copy hereto attached and marked Exhibit A and made a part of this affidavit.

Harold E. Hildreth.

Sworn to and subscribed before me this July 11, 1907.

Frank J. Davis,
Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced at the July session of the Legislature of Alabama, the substance of which will be to provide for the transfer of all cases charging the commission of a misdemeanor,

presented by indictment by the grand juries of the circuit court of Morgan county, Alabama, to the Morgan county law and equity court of Morgan county, Alabama, and to provide for the trial and proceedings in said Morgan county law and equity court in said causes so transferred; that all cases in which indictments have been found by the grand jury of the said circuit court subsequent to February 25, 1907, and still pending undetermined, charging a misdemeanor, within ten days after the approval of this act, shall be transferred for trial to said Morgan county law and equity court, which said court shall have exclusive jurisdiction of all of said causes; that all indictments hereafter found by the grand jury of said circuit court, charging the commission of a misdemeanor, shall be made returnable to said Morgan county law and equity court.

W. H. Long, Jr.

A. J. Harris,

S. A. Lynne.

By Mr. Long, of Morgan, (with notice and proof.)

H. 1274. To authorize and empower the county treasurer of Morgan county, Alabama, to pay all jurors, grand and petit, and all bailiffs, janitors and other proper officers of the Morgan county law and equity court of Morgan county, Ala., except the salary of the judge of said court, and to pay for the supplies, records, furniture, stationery and fixtures for said court, and to provide for his compensation therefor.

Judiciary.

Notice and Proof. H. 1274.

The State of Alabama, }
Morgan County. }

Before me, Frank J. Davis, a notary public in and for said county and State, this day personally appeared Harold E. Hildreth, who, being by me duly sworn, deposes and says that he is the publisher of the New Decatur Advertiser, a newspaper published in New Decatur, Morgan county, Alabama; that notice of the intention to apply to the present session of the Legislature of Ala-

bama for the passage of an act to authorize and empower the county treasurer of Morgan county, Alabama, to pay all jurors, grand and petit, and all bailiffs, janitors and other proper officers of the Morgan county law and equity court of Morgan county, Ala., except the salary of the judge of said court, and to pay for the supplies, records, furniture, stationery and fixtures for said court, and to provide for his compensation therefor, has been published without cost to the State of Alabama, in said newspaper once a week for four consecutive weeks, beginning with the 20th day of June, 1907, issue of said paper and appearing in the issues of June 20th, June 27th, July 4th and July 11th issue of said paper; that the notice herein referred to stated the substance of said proposed act as is here shown by a copy of said notice as published and appearing in each of the issues of said paper as hereinabove stated, and which said copy is hereto attached and marked exhibit A and made a part of this affidavit. Harold E. Hildreth.

Sworn to and subscribed before me this July 11th, 1907.

Frank J. Davis,
Notary Public.

Notice is hereby given that a bill will be introduced in the July session of the Legislature of Alabama, providing, in substance, that the county treasurer of Morgan county, Alabama, be authorized and empowered, and it shall be his duty, to pay all jurors, grand and petit, and all bailiffs, janitors and other proper officers of the Morgan county law and equity court of Morgan county, Alabama, except the salary of the judge of said court, and for the supplies, records, furniture, stationery and fixtures for said court, when such claims are made and presented to him as required by law; that he shall receive for such services the compensation now allowed him for similar services, provided his salary shall not exceed \$1,000.00 in any one year, but shall be and remain at \$1,000.00 per year.

W. H. Long, Jr.
A. J. Harris,
S. A. Lynne.

By Mr. Long, of Morgan, (with notice and proof.)

H. 1275. To provide for the transfer to the Morgan county law and equity court, of all causes pending in the chancery court of Morgan county, Alabama, at the time of the approval of this act, and to provide for the trial of said cause so transferred.

Judiciary.

Notice and proof H. 1275.

State of Alabama,
Morgan County.

Before me, Frank J. Davis, a notary public in and for said State and county, this day personally appeared Harold E. Hildreth, who being by me duly sworn, deposes and says that he is the publisher of the New Decatur Advertiser, a newspaper published in New Decatur, Morgan county, Alabama; that notice of the intention to apply to the present session of the Legislature of Alabama for the passage of an act to provide for the transfer to the Morgan county law and equity court of all causes pending in the chancery court of Morgan county, Ala., and to provide for the trial of said causes so transferred, has been published without cost to the State of Alabama, in said newspaper once a week for four consecutive weeks, beginning with the 20th day of June, 1907, issue of said paper, and appearing in the issues of June 20th; June 27th; July 4th and 11th, 1907, respectively, and concluding with the July 11th issue of said paper; that the notice herein referred to, stated the substance of said proposed act as is shown by a copy of said notice as published and appearing in each of the issues of said paper as hereinabove stated, and which said copy is hereto attached and marked Exhibit A and made a part of this affidavit.

Harold E. Hildreth,

Sworn to and subscribed before me this July 11, 1907.

Frank J. Davis,
Notary Public.

NOTICE.

Notice is hereby given that at the July session of the Legislature of Alabama, a bill will be introduced, the substance of which will be: That all causes pending in the chancery court of Morgan county, Alabama, at the time this act is approved, may be transferred to the Morgan county law and equity court of Morgan county, Alabama, upon written request to the register of said chancery court, by either the complainant or defendant, or their agents or solicitors, at any time within ninety days after the approval of this act; that when the cause so transferred, is entered upon the docket of the Morgan county law and equity court, said court shall have and exercise exclusive jurisdiction of said cause.

W. H. Long, Jr.

A. J. Harris,

S. A. Lynne.

By Mr. Sample, (by request) with notice and proof.
H. 1276. To authorize fruit growers of Morgan county to sell wine of their own vintage in quantities of not less than one gallon within said county except within one mile of Falkville, College.

Temperance.

Notice and Proof. H. 1276.

The State of Alabama, }
Morgan County. }

Before me, W. H. Douglass, a justice of the peace in and for said county in said State, this day personally came Walter Grubbs, known to me to be the editor and manager of the Decatur News, a weekly newspaper, published in Decatur, Morgan county, Alabama, who being by me duly sworn, deposes and says:

That he is the editor and manager of the Decatur News, a weekly newspaper, published in Decatur, Morgan county, Alabama, and that a notice was published, without cost to the State of Alabama, once a week for four consecutive weeks in said newspaper before the

making of this affidavit, which notice was in words and figures as follows, to-wit:

NOTICE.

"Notice is hereby given that a bill will be introduced in the present Legislature to allow fruit growers of Morgan county to sell wine of their own vintage in quantities not less than one gallon within said county, except within one mile of the college located in Falkville, Ala."

That said notice was published in said paper in the issues of January 18th, February 1st, and 8th, 1907.

Walter M. Grubbs.

Subscribed and sworn to before me this 6th day of July, 1907.

W. H. Douglass,
Justice of the Peace.

By Mr. Pitts, of Perry.

H. 1277. To require all municipalities which operate dispensaries to semi-annually make statements and reports and to provide penalties for failure to do so.

Temperance.

By Mr. Pitts, of Perry.

H. 1278. To amend sections 7 and 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the counties of this State, approved October 10, 1903.

Public Roads and Highways.

By Mr. Pitts, of Perry.

H. 1279. To require all municipalities to semi-annually make and publish statements and reports.

Municipal Organization.

By Mr. Pitts, of Perry, (with notice and proof.)

H. 1280. To provide for the construction and maintenance of good public roads and bridges in Perry county, Alabama; for levying a tax for the same, and how the said tax be expended.

Public Roads and Highways.

Notice and Proof. H. 1280.

The State of Alabama, }
Perry County. }

Before me, J. B. Shivers, probate judge of said county, personally appeared C. H. Greer, who, being first duly sworn, deposeth and saith, that he is publisher of The Marion Standard, a weekly newspaper published in Perry county, Alabama; that the following notice, to-wit:

The State of Alabama, }
Perry County. }

NOTICE.

A bill will be introduced in the Legislature of Alabama, at the session commencing in January, 1907, to provide for the construction and maintenance of good public roads and bridges in said county. Under the provisions of said bill the court of county commissioners shall have general charge and superintendence of said roads and bridges, and the work done thereon; there shall be three supervisors and not less than two overseers in each precinct of said county; their compensation and duties will be prescribed; each male resident of said county between the ages of 18 and 50 years shall be liable to road duty of ten days of ten hours each in a year, or shall pay not less than five dollars nor more than seven and one-half dollars in lieu of working said roads, and said sums so paid shall be used in the roads in the precinct from which it came; there shall be a tax levied and collected of two and a half mills on each dollar's worth of property in said county, liable to taxation, to be used in carrying out the provisions of said bill; and said act shall be submitted to the voters of said county, at an election to be held under an order of the court of county commissioners, to determine whether the same shall become operative.

Dated this 27th, December, 1906.

W. L. Pitts, Sr.

Has been published for four consecutive weeks in said newspaper, said notice having been insterted in said newspaper on the 4th day of January, 1907, and appearing in each issue from that date to 25th day of January, 1907.

Chas. H. Greer.

Subscribed and sworn to before me, this the 5th day July, 1907.

J. B.,

Probate Judge, Perry Co., Alabama.

By Mr. Pratt.

H. 1281. To propose certain amendmets to the constitution of the State of Alabama, pertaining to education.

Judiciary.

By Mr. Ballard, of Pike.

H. 1282. To amend sections 4 and 6 of an act entitled an act to regulate running, operating or driving automobiles, locomobiles and motor vehicles of like kind upon the public roads and highways of this State, approved October 9, 1903.

Public Roads and Highways.

By Mr. Moore.

H. 1283. To amend section 2807 of the Code of Alabama of 1896.

Judiciary.

By Mr. Seale.

H. 1284. To amend section 1 of an act approved February 9th, 1907, entitled an act to make the railroad rates of freight in force January 1, 1907, for the transportation, originating and terminating within this State the maximum rates.

Commerce and Common Carriers.

By Mr. Seale.

H. 1285. To amend section 26 of an act approved February 28, 1907, entitled an act to prescribe rules and regulations relating to demurrage and car service and charges therefor and the respective rights, duties, obligations, liabilities and remedies of common carriers

by rail and shippers and consignees with respect to the furnishing of empty cars and the transportation and delivery of freight and delay of shippers and consignees in the loading and unloading of cars and the receiving of freight and charges for each delay.

Commerce and Common Carriers.

By Mr. Sanford, (with notice and proof.)

H. 1286. For the relief of L. D. Whitehead, a confederate soldier of Talladega county.

Appropriations.

Notice and Proof. H. 1286.

TAKE NOTICE.

That at the convened session of the Legislature of Alabama, June 28th, 1907, a bill for the relief of L. D. Whitehead, of Talladega county, a confederate soldier, will be introduced in substance as follows:

To authorize the auditor of Alabama to draw his warrant on the treasurer of Alabama for the sum of \$30.00 in favor of L. D. Whitehead, the same being due as a confederate pension for the year of 1906, and to require the auditor to place said L. D. Whitehead's name on the pension roll of confederate soldiers.

The State of Alabama, }
Talladega County. }

Before me, M. McDonald, a notary public in and for said county, personally appeared John J. Hunter, known to me to be the owner and editor of the Sylacauga Progress, a newspaper published at Sylacauga, in said county, who being by me duly sworn, deposes and says that the following notice hereto attached was published once a week for four consecutive weeks in said Sylacauga Progress, a newspaper published in Sylacauga, Ala., next before the making of his affidavit beginning with the issue of June 6th, 1907, and to-wit: June 6th, June 13th, June 20th and June 27th, 1907.

Witness my hand this the 8th day of July, 1907.

Jno. J. Hunter, Editor.

Sworn to before me this the 10th day of July, 1907.

M. McDonald,
Notary Public.

By Mr. Foster.

H. 1287. To legalize the registration of, and to make self proving, deeds of conveyance which have been recorded in the office of the judge of probate of the proper county before the passage of this act, but not within the time heretofore required by law.

Judiciary.

By Mr. Cranford, (with notice and proof.)

H. 1288. To authorize the court of county commissioners, board of revenue or other courts of like jurisdiction of Walker county, to contract for supplying the court rooms and offices of the county officers with water, gas, electric lights, heat, telephones and such other conveniences as such court may deem necessary or advisable, and to keep the said rooms and offices in good condition and order, and to provide for the payment of same.

County and County Boundaries.

Notice and Proof. H. 1288.

NOTICE.

Notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, in substance as follows:

A BILL.

To authorize the court of county commissioners, board of revenue or other courts of like jurisdiction of Walker county, to contract for supplying the court rooms and the offices of the county officers with water, gas, electric lights, heat, telephones, and such other conveniences as the court may deem necessary or advisable, and to keep the said rooms and offices in good condition and order, and to provide for the payment of same.

Be it enacted by the legislature of Alabama, That the court of county commissioners, board of revenue, or other courts of like jurisdiction of Walker county, are hereby authorized to contract for supplying water, electric lights, gas, heat, telephones, and such other conveniences as such court may deem necessary or advisable, for the court rooms and the offices of the county officers, and to keep the said rooms and offices in good condition and order. And the treasurer of Walker county is hereby authorized to pay all warrants drawn against the general fund upon such contracts.

The State of Alabama, }
Walker County. }

Before me, R. T. Knight, justice of the peace in and for said State and county, personally appeared J. W. Young, who, being duly sworn, says on oath that he is editor and publisher of the Walker County News, a newspaper published in Walker county, Alabama, and that the attached notice was published in said newspaper each week for four consecutive weeks prior to the meeting of the present session of the Legislature of Alabama.

J. W. Young.

Sworn to and subscribed before me this the——day of July, 1907.

R. T. Knight,
Justice of the Peace.

By Mr. McMillian:

H. 1289. To amend sub-division 4 of section 958 of the Code of 1896.

Revision of Laws.

By Mr. Kornegay, (by request):

H. 1290. To promote and secure the erection of factories for the purpose of manufacutring cement in the State of Alabama.

Ways and Means.

By Mr. Pratt, (with notice and proof):

H. 1291. For the relief of W. C. Evans, a confederate pensioner of Pickens county, Alabama.

Appropriations.

Notice and Proof. H. 1291.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama in July, 1907, to appropriate the sum of sixty dollars from the State treasury for the relief of W. C. Evans, a needy confederate soldier, whose name was dropped from the pension roll of Pickens county, Alabama, during the year 1905 by error.

The State of Alabama, }
Pickens County. }

Personally appeared before me, L. C. Hudgins, judge of probate in and for said county and State, Marion Johnson, the publisher of the Alabamaian-Herald, who, being first duly sworn, doth depose and say that the above notice of a proposed bill to be introduced in the Legislature of Alabama, was published in the Alabamaian-Herald, a newspaper published in said county and State, once a week for four consecutive weeks prior to this date.

Marion Johnson.

Sworn to and subscribed before me this the 12th day of July, 1907.

L. C. Hudgins,
Judge of Probate.

By Mr. Jenkins, (with notice and proof) :

H. 1292. To require the court of county commissioners of Baldwin county to let to the lowest bidder, after due notice by publication, the road and bridge contracts in Baldwin county, provided, said bidder gives bond for the faithful performance of contract.

County and County Boundaries.

Notice and Proof. H. 1292.

NOTICE.

Notice is hereby given that a bill will be introduced in the next Legislature of Alabama to require the court of county commissioners to let to the lowest bidder, af-

ter due notice by publication, the road and bridge contracts in Baldwin county, provided said bidder gives bond for faithful performance of contract.

The State of Alabama, }
Baldwin County. }

W. C. Dinwiddie, being duly sworn, deposes and says that he is the publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin county, Alabama, that the notice of a bill to be introduced in Ala. Legislature requiring contracts to be given lowest bidder, etc., a copy of which is hereto attached, was printed in said paper for four consecutive weeks, beginning with the issue dated 20th day of Dec., 1906.

W. C. Dinwiddie.

Subscribed and sworn to before me, this 13th day of July, 1907.

James M. Voltz,

Clerk of the Circuit Court of Baldwin Co., Ala.

By Mr. Jenkins, (with notice and proof) :

H. 1293. To allow the selling, or otherwise lawfully disposing of, lager beer by the proprietor, or manager, of the Park Hotel to be erected at Montrose in Baldwin county.

Temperance.

Notice and Proof. H. 1293.

NOTICE.

Notice is hereby given that a bill will be introduced in the present Legislature, to assemble on July 9th, '07, to repeal the prohibition law in so far as regards the sale of beer by the proprietor or manager of the Park Hotel to be erected at Montrose, Baldwin county, Ala.

The State of Alabama, }
Baldwin County. }

W. C. Dinwiddie, being duly sworn, deposes and says that he is the publisher of The Baldwin Times, a weekly newspaper published at Bay Minette, Baldwin county,

Alabama, that the notice of a bill to be introduced in Alabama Legislature permitting sale of beer at Montrose, Ala., a copy of which is hereto attached, was printed in said paper for 4 consecutive weeks, beginning with the issue dated 21st day of June, 1907.

W. C. Dinwiddie.

Subscribed and sworn to before me, this 13th day of July, 1907.

James M. Voltz,

Clerk of the Circuit Court of Baldwin county, Ala.

By Mr. Glover:

H. 1294. To make it unlawful for any common carrier, person, firm or corporation in this State to operate or permit to be operated upon lines of railway of more than fifty miles in length in this State, and road locomotive engine propelled by steam power, which is not equipped with an electric headlight; to define a "road locomotive engine" and to prescribe the punishment for a violation of this act.

Commerce and Common Carriers.

By Mr. Long, of Butler, (with notice and proof):

H. 1295. To fix the compensation to be allowed the sheriff of Butler county, Alabama, for services rendered by the sheriff of Butler county, Alabama, in the county court of Butler county, and to provide for the payment of said compensation.

Local Legislation.

Notice and Proof. H. 1295.

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set out, was

published in said Greenville Advocate for four consecutive weeks beginning on the 12th day of June, 1907.

NOTICE.

You will please take notice that a bill will be introduced at the adourned term of the present session of the Législature of Alabama, which convenes in Montgomery on July 9th, 1907, which bill will provide that the sheriff of Butler county, Alabama, shall be entitled to and receive the same fees for services rendered in the county court of Butler county as the sheriff of Butler county, Alabama, is entitled to and receives for same services rendered in the circuit court of Butler county, Alabama, said fees to be taxed and paid in the same manner as now prescribed by law for services rendered by the sheriff of Butler county, Alabama, in the circuit court of Butler county, Alabama. This the 7th day of June, 1907.

J. B. Stanley.

Sworn to and subscribed before me this 11th day of July, 1907.
Bennie Williams,
Notary Public.

By Mr. Long, of Butler, (with notic eand proof).

H. 1296. To authorize and empower the court of county commissioners of Butler county to employ a janitor for Butler county, who shall be under the control and direction of the sheriff of Butler county, to prescribe his duties and to provide for the payment of such janitor.

Local Legislation.

Notice and Proof. H. 1296.

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and pub-

lisher of The Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set out, was published in said Greenville Advocate for four consecutive weeks, beginning on the 12th day of June, 1907.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of the Legislature of Alabama, which convenes in Montgomery, Alabama, on July 9th, 1907, which bill will provide that the court of county commissioners of Butler county, Alabama, be allowed to employ a janitor for Butler county, Alabama, who shall be under the control and direction of the sheriff of Butler county, Alabama, and whose duties shall be to do and perform any and all services which shall be required of him in and around the court house of Butler county, Alabama, his salary to be fixed by the court of county commissioners of Butler county and to be paid out of the county treasury of Butler county, on an order from the county commissioners of Butler county, Alabama. This the 7th day of June, 1907.

J. B. Stanley.

Sworn to and subscribed before me this 11th day of July, 1907.

Bennie Williams,
Notary Public.

By Mr. Long, of Butler, (with notice and proof) :

H. 1297. To fix the compensation to be allowed the sheriff of Butler county, Alabama, for empaneling grand juries, advertising and attending elections in Butler county, and for all other public services and official duties for the compensation of which no express provision of law is made.

Local Legislation.

tract for and place in the jail and poor houses of said county such telephones as may be necessary.

Local Legislation.

Notice and Proof. H. 1298.

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set out, was published in said Greenville Advocate for four consecutive weeks, beginning on the 12th day of June, 1907.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of the Legislature of Alabama, which convenes in Montgomery on July 9th, 1907, which bill will provide that the court of county commissioners of Butler county, Alabama, be authorized and empowered to contract for and place in the offices of the various officers of said county who have their offices in the court house, such telephones, writing machines and other mechanical devices as in the opinion of said court is necessary or expedient; and the said court be further authorized and empowered to contract for and place in the jail and poor house of said county, such telephones as they may deem necessary. This the 7th day of June, 1907.

J. B. Stanley.

Sworn to and subscribed before me this 11th day of July, 1907.

Bennie Williams,
Notary Public.

Notice and Proof. H. 1297.

The State of Alabama, }
 Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set out, was published in said Greenville Advocate for four consecutive weeks, beginning on the 12th day of June, 1907.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of the Legislature of Alabama, which convenes in Montgomery on July 9th, 1907, which bill will provide for the payment of five hundred dollars to the sheriff of Butler county, Alabama, for empaneling grand juries, advertising and attending to elections in Butler county, and for all other public service not otherwise provided for, the same to be paid out of the county treasury and to be paid by order of the court of county commissioners. This the 7th day of June, 1907.

J. B. Stanley.

Sworn to and subscribed before me this 11th day of July, 1907.

Bennie Williams,
 Notary Public.

By Mr. Long, of Butler, (with notice and proof):

H. 1298. To authorize and empower the court of county commissioners of Butler county to contract for and place in the office of the various officers of said county, telephones, writing machines and other mechanical devices as in the opinion of the said court of county commissioners is necessary or expedient and to con-

By Mr. Long, of Butler, (with notice and proof) :

H. 1299. To fix the compensation to be allowed the circuit clerk of Butler county, Alabama, for all official duties not otherwise provided for.

Local Legislation.

Notice and Proof. H. 1299.

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set out, was published in said Greenville Advocate for four consecutive weeks, beginning on the 12th day of June, 1907.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of the Legislature of Alabama, which convenes in Montgomery on the 9th day of July, 1907, which bill will provide for the payment to the clerk of the circuit court of Butler county, Alabama, the sum of five hundred dollars for performing official duties not otherwise provided for, said sum to be paid from the county treasury and to be paid and allowed by the court of county commissioners. This the 7th day of June, 1907.

J. B. Stanley.

Sworn to and subscribed before me this 11th day of July, 1907.

Bennie Williams,
Notary Public.

By Mr. Smith, of Lee:

H. 1300. To amend section 393 of the Code of 1896.
Judiciary.

By Mr. Lee, of Houston, (with notice and proof) :

H. 1301. To prohibit the sale, barter, exchange, or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages, in the county of Houston, in the State of Alabama; and to provide for an offense and a penalty for the sale, barter, exchange, or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages in the said county of Houston.

Temperance.

Notice and Proof. H. 1301.

NOTICE.

Notice is hereby given that application will be made to the present Legislature of Alabama to reconvene on the 9th day of July, 1907, to pass the following law:

An act to prohibit the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages in the county of Houston, and to provide for an offense and a penalty for the sale, barter, exchange or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages in the county of Houston.

Section 1. Be it enacted by the Legislature of Alabama, That on and after the passage of this act, it shall be unlawful to sell, give away, barter or exchange any vinous, spirituous or malt liquor, or other intoxicating beverages in the county of Houston; and the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages within the limits and bounds of the county of Houston is hereby prohibited.

Section 2. Be it further enacted, That any person, firm or corporation who shall sell, barter, exchange or give away any spirituous, vinous or malt liquor, or other intoxicating drinks or beverages, within the limits

and bounds of the county of Houston, shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than one hundred dollars, and may also be sentenced to hard labor for the county for not less than thirty days, nor more than one year, one, or both, at the discretion of the judge presiding on the trial of the case.

Section 3. Be it further enacted, That all laws and parts of laws, in conflict herewith be and the same are hereby repealed.

B. W. Clendinen, W. C. Strickland, T. J. Herring, W. R. Flowers, W. I. Johnson, J. R. McCarty, J. D. Prevatt, J. R. Keyton, M. Cherry, George Cotton, S. M. Brown, J. D. Flowers, J. V. Brown, G. H. Malone, N. H. McCullum, R. C. Williams, R. T. McDavid, F. B. Culver, R. W. Lisenby, E. R. Malone.

The State of Alabama, }
Houston County. }

Before me, Nannie E. McAliley, a notary public in and for said county, came W. F. Ussery, who, being sworn, says that he is the editor and publisher of the Wire-Grass Siftings; and that the said Wire-Grass Siftings is a newspaper published in Dothan, Houston county, Alabama, and that the notice hereto attached, marked exhibit "A," was published in the said Wire-Grass Siftings once a week for four consecutive weeks, before the making of this affidavit, and in weekly issues of said Wire-Grass Siftings in the months of June and July, 1907.

W. F. Ussery.

Sworn to and subscribed before me this 15th day of July, 1907.

Nannie McAliley,
Notary Public.

By Mr. Rushton:

H. 1302. To regulate primary elections in the State of Alabama.

Privileges and Elections.

By Mr. Bulger:

H. 1303. To amend sub-division of section 1377 of the civil Code, relating to compensation of sheriffs for ex-officio services.

Revision of Laws.

By Mr. Pearson, (with notice and proof):

H. 1304. For the relief of J. W. Burton, of Shelby county, Alabama.

Appropriations.

Notice and Proof. H. 1304.

NOTICE.

Notice is hereby given that a bill will be introduced in the present session of the Legislature of Alabama upon its reassembling after the pending recess, providing for an appropriation of eight hundred dollars out of the State treasury to reimburse J. W. Burton for money spent by said Burton in defending suit of Shelby Iron Co. vs. said J. W. Burton. Said money being lost and expended by said J. W. Burton on account of an error in the Book of Field Notes furnished Shelby county by the State of Alabama, and upon which said J. W. Burton relied to defend his title to the land involved in said suit.

This June 3, 1907.

J. W. Burton.

Columbiana, Ala., July 9th, 1907.

I, J. Frank Norris, publisher of The Peoples Advocate, a newspaper published in the town of Columbiana, Shelby county, Ala., do solemnly swear that the attached "notice" was published four weeks beginning as follows and ending as follows: June 6, 1907; June 13, 1907; June 20, 1907; June 27, 1907.

J. Frank Norris,
Publisher Peoples Advocate.

Sworn to as true and correct, this 9th July, 1907.

A. P. Longshore,
Judge of Probate.

By Mr. Cranford, (with notice and proof) :

H. 1305. To fix the salary of the county treasurer of Walker county, Alabama.

Local Legislation.

Notice and Proof. H. 1305.

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama, when the same convenes in July, 1907, for the passage of the following bill, to-wit.

An act to be entitled an act to fix the salary of the county treasurer of Walker county, Ala.

Sec. 1. Be it enacted by the Legislature of Alabama, That after the expiration of the present incumbent, or his successor, for the present term, the salary of the county treasurer for Walker county, Ala., shall be \$2,000.00 annually to be paid in all respects as the salary is at present paid to the county treasurer.

Sec. 2. Said salary shall be paid in equal monthly installments upon warrants approved by the court of county commissioners payable to the county treasurer.

Sec. 3. Be it further enacted, That all laws and parts of laws in conflict with the provisions here be, and the same are hereby repealed.

The State of Alabama, }
Walker County. }

Before me, E. W. Long, clerk of the circuit court in and for said State and county, personally appeared J. W. Young, who, being duly sworn, says on oath that he is editor and publisher of the Walker County News, a newspaper published in Walker county, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks prior to the present session of the Alabama Legislature.

J. W. Young.

Sworn to and subscribed before me this the 15th day of July, 1907.

E. W. Long,
Clerk.

By Mr. John:

H. 1306. To establish a great seal for the State of Alabama.

Judiciary.

By Mr. Brown:

H. 1307. For the relief of tobacco dealers, other than dealers who conduct tobacco and cigar stands, who have paid the license tax under the bill approved March 7th, 1907, entitled an act to better provide for the revenue of the State.

Appropriations.

By Mr. Lacy, of Walker, (with notice and proof):

H. 1308. To amend sections 1, 2, 6, 7, 9, 10, 11, 15, 24, 25 and 38 of an act entitled an act to amend an act entitled an act to better provide for establishing, working and maintaining the public roads and bridges in Walker county, Alabama, approved March 6th, 1903.

Local Legislation.

Notice and Proof. H. 1308.

NOTICE.

Notice is hereby given that, at the adjourned session of the Legislature of Alabama, application will be made for the passage of an act providing substantially as follows:

A BILL

To be entitled an act to amend sections 1, 2, 6, 7, 9, 10, 11, 15, 24, 25, 38 and 39 of an act entitled an act to amend an act entitled an act to better provide for establishing, working and maintaining the public roads and bridges in Walker county, Alabama, approved March 6, 1903.

Section 1. Be it enacted by the Legislature of Alabama, That section 1 of the above entitled act be amended so as to read as follows:

Section 1. That the commissioners' court of Walker county shall in each year at the first regular meeting,

set apart three-fifths of all special taxes levied and collected in the county other than special school taxes, which taxes when so set apart shall be used exclusively for aiding in the establishment, construction and maintaining of the public roads in said county. The funds so set apart to be kept separate from the other funds of the county by the county treasurer, provided that for the purpose of repairing public bridges in the county, the commissioners' court may appropriate an amount not exceeding \$2,000 per annum out of said funds for such purposes. And provided further that said commissioners' court at said meeting shall apportion the said funds, together with all other monies collected for road purposes, to the various precincts in such manner as they think proper, and shall file a copy of such order with the county treasurer.

Section 2. That section 2 of said act be amended so as to read as follows:

Section 2. That the amount so set apart, together with all monies collected for road purposes, including all fines and penalties imposed and collected for violations of this act, shall be divided among the several precincts of said county at the term of commissioners' court held the second Monday in June of each year, according to the number of roads and importance of same; such fund when so apportioned by the court of county commissioners shall be entered to the credit of the respective road precincts by the county treasurer, in account to be kept by him for that purpose.

Section 3. That section 6 of said act be amended so as to read as follows:

Section 6. The precinct superintendents, if there be such, shall receive as compensation \$25.00 per year to be paid at the August term of the commissioners' court; and may also be allowed such sum as the commissioners' court may agree upon, not to exceed ten per centum of all collections of per capita tax and not more than five per cent of all disbursements made by him, provided that the commissioners' court may pay such supervisor more, if necessary to obtain a suitable person.

Section 4. That section 7 of said act be amended so as to read as follows:

Section 7. That all male persons in Walker county, over the age of eighteen years and under the age of forty-five years, shall be required to work the public roads six days in each year, provided that the labor may be commuted by paying to the supervisors or other persons appointed by the commissioners to collect the money, sum of \$3.00 on or before the first day of March of each year, or by paying the sum of \$4.00 to such person any time after the first day of March of each year and within two days after being warned to work the roads; provided further, that any person who has lost an arm or leg and all persons who by nature or disease are rendered incapable of hard labor who shall secure a certificate of such incompetency from the county board of health are exempt from road duty, provided such road hand delivers such certificate to the road overseer or person under whom he is to work the road within two days after having been warned to work.

Section 5. That section 9 of said act be amended so as to read as follows:

Section 9. That each supervisor or other person appointed by the court of county commissioners to superintend the working of the public road in road precincts shall make settlement with the treasurer within ten days after the first day of each month for the amount of money collected by him during the preceding month.

Section 6. That section 10 of said act be amended so as to read as follows:

Section 10. That each supervisor or person appointed to superintend the working of the public roads shall keep a correct record of all official business done by him, showing the amount of money collected by him from whom such monies were collected and to whom and for what purpose the same has been paid out and shall make a report of the same to the court of county commissioners at any regular or special term of said court. At the September term of said court such person or persons shall present an itemized statement in writing duly verified, showing how the money appor-

tioned to his or their precinct has been expended and the amount he then has on hand, and the number and value of tools on hand; and an itemized statement or report of the condition of the roads in his precinct; a copy of said statement together with an itemized statement of all per capita tax collected shall be posted by each supervisor at the polling place in the precinct subject to the inspection of the tax payers and the road hands of their respective precincts; all of such reports and statements shall be recorded by the probate judge in a book kept by him for that purpose.

Section 7. That section 11 of said act be amended so as to read as follows:

Section 11. It shall be the duty of each precinct supervisor or other person appointed by the court of county commissioners to supervise the working, building or repairing of the public roads in any precinct or precincts of the county, to personally superintend, supervise, direct and inspect the manner and method by which the public roads are worked and he shall appoint good and intelligent overseers in their respective precincts and shall furnish the names to the judge of probate the first day of March, and the judge of probate shall commission them, as now provided by law, and the said supervisors shall apportion to his overseers in his precinct all public roads to be worked, subdividing them so as to make them as near as possible, taking into consideration the general condition of the roads and their importance to the public, and he shall apportion the hands in his precinct subject to road duty to the various overseers and deliver to each overseer a list of the hands apportioned to him for road service. Each supervisor shall report at the fall term of the grand jury the condition of the public roads in his precinct and the name of any overseer in his precinct whose road is in bad condition; that any supervisor appointed to superintend the working, building and repairing of the public road or to collect the per capita tax provided for herein, who shall neglect his duties or fail to carry out the provisions of this act, shall be guilty of a misdemeanor, and on conviction shall be fined not less than

\$10.00 nor more than \$100.00 and may also be imprisoned in the county jail or sentenced to hard labor for not more than six months.

Section 8. That section 15 of said act be amended so as to read as follows:

Section 15. The overseers when appointed shall hold office for the period of two years and shall be paid the sum of \$2.00 a day for each day's work, provided, however, that road overseers shall work six days as other road hands, unless such work has been commuted by the payment of the amount as is required of other road hands; that any road overseer who neglects his duty or fails to perform the acts herein required of him shall be guilty of a misdemeanor and on conviction shall be fined not less than \$10.00 nor more than \$100.00 and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six months.

Section 9. That section 24 of said act be amended so as to read as follows:

Section 24. That all public roads in the county shall be worked prior to September first of each year, and oftener if the roads at any time become washed or out of repair, and should the public road or roads get out of repair and need working, it shall be the duty of the road overseer to repair the same immediately at the expense of the county, and for failure to do so shall be guilty of a misdemeanor and be fined not less than \$10.00 nor more than \$100.00.

Section 10. That section 25 of said act be amended so as to read as follows:

Section 25. That day labor shall be paid not more than \$1.50 per day; that single teams with drivers shall not be paid more than \$3.00 and double teams with drivers shall not be paid more than \$3.50 per day.

Section 11. That section 38 of said act be amended so as to read as follows:

Section 38. That the court of county commissioners shall have supervision and control over all persons engaged in working, building or repairing the public roads of Walker county and shall have full power and author-

ity to have any or all of the public roads worked in such manner as will in their judgment bring the best results and to that end may let out any of such roads to contractors, provided that when contracts are made for working roads the person or persons entering into such contract shall make and execute a good and sufficient bond, payable to Walker county, conditioned to work and build the roads, according to the plans and specifications set out in such contract, and the persons contracting to do such work shall not be paid for the same until the road or roads so worked have been received and the work approved by the court of county commissioners. Such contractors shall have the same powers and authority over road hands as is given road overseers. It shall be optional with the court of county commissioners whether there shall be precinct supervisors or overseers in any road precinct in the county or whether the same shall be worked by day laborers or by contract and the court of county commissioners shall have authority to hire and employ some competent and experienced person to supervise and superintend the working, repairing and building of all the county roads in the county and such person if appointed shall have authority over all road supervisors, overseers, contractors and hands and they shall be subject to his direction and control while engaged in working the roads and if appointed he shall be paid such salary as the court of county commissioners may agree upon not to exceed \$100.00 per month.

Section 12. That section 39 be amended so as to read as follows:

Section 39. That the court of county commissioners shall set apart, devote and appropriate out of the public road funds of the county, not less than seven thousand, five hundred dollars per year, the whole of which shall be used in building and constructing permanent roads, and the road or roads upon which the money provided for in this section shall be first mapped and surveyed by some competent civil engineer and the same shall be worked according to the specifications

adopted by the commissioners' court and shall be built and worked either by contract or under the direction of county commissioners.

The State of Alabam, }
Walker County. }

I, James R. Gunter, editor the Mountain Eagle, a weekly newspaper published in Jasper, Walker county, Alabama, do hereby certify that the notice of the intention to introduce a bill in the Legislature of Alabama to amend certain sections of an act entitled an act to better provide for establishing, working and maintaining the public roads and bridges of Walker county, Alabama, a copy of which notice is hereto attached, was published in said newspaper once a week for four (4) consecutive weeks, beginning June 19, 1907, and ending July 10, 1907.

James R. Gunter.

Sworn to and subscribed before me this July 15, 1907.

R. T. Knight,
Justice of the Peace.

By Mr. John:

H. 1309. To make an appropriation for the erection of a memorial monument, or monuments and markers in the Vicksburg National Military Park, to commemorate the valor and heroism of the soldiers from Alabama who participated in the campaign, seige, and defense of Vicksburg.

Appropriations.

By Mr. Bloch:

H. 1310. To make an appropriation for the payment of sundry balances and to provide for the completion of the improvements on the State capitol building.

Appropriations.

By Mr. Bulger:

H. 1311. To provide for the more efficient supervision of the public schools of the State.

Education.

By Mr. Lee, of Etowah:

H. 1312. To authorize incorporated cities and towns in this State which have within their corporate limits

ancient, private or family cemeteries or burial grounds,
to contract for their care and maintenance.

Municipal Organization.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bill:

S. 344. To further regulate the opening, closing and operating saloons and giving away or selling spirituous, vinous or malt liquors under a license from the State, and to punish violations thereof.

And sends same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The bill, the title to which is set out in the above and foregoing Senate message, was read one time and referred to an appropriate standing committee as follows:

Temperance, S. 344.

REPORT OF RULES COMMITTEE.

Mr. John, from the standing committee on Rules, returned to the House the following resolution with a favorable report:

By Mr. Carmichael, of Colbert:

H. J. R. No. 255. Whereas, the Legislature of Alabama has legal notice of a vacancy in the representation of the State in the Senate of the United States, caused by the death of Senator John T. Morgan.

Now, therefore, in conformity with the law in such cases,

Be it resolved by the House of Representatives, the Senate concurring, that on Tuesday, July 16th, 1907, at 12 o'clock m., being the second Tuesday after the organization of the Legislature and notice of the vacancy, each House shall openly by a viva voce of each member

present name a person for Senator in Congress from the State of Alabama to fill the vacancy.

That on Wednesday, July 17th, 1907, at 12 o'clock meridian, the members of the two Houses convene in joint assembly in the Hall of the House of Representatives and declare the election as Senator of the person who shall receive a majority of all the votes in each House.

And the resolution was adopted.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill:

H. 582. To provide for the more efficient supervision of the public schools of the State.

The question was upon the adoption of the substitute offered by Mr. Lee, of Etowah:

Mr. Bulger offered the following amendment to the substitute:

Amend by striking out the words "or a life grade" where they appear in the third line of the second section of the bill.

And the amendment was lost.

Mr. Kirby offered the following amendment to the substitute:

A BILL

Entitled "an act" to prescribe the qualifications and additional duties of county superintendents and to provide a more efficient supervision of the public schools of Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. That to be eligible to the office of county superintendent every applicant or candidate must be a qualified elector of the county in which he applies or is a candidate. He must be a person of good moral character, who holds a first grade teacher's certificate issued in this State.

Section 2. That the county superintendent shall constitute the medium of communication between the Superintendent of Education and subordinate school officers. He shall visit, with or without notice, each public school in his county at least once in each term or session of the school, twice if practicable; each visit to be of at least two hours' duration, for the purpose of advising with teachers and assisting them in all the schools of his county, instructing them in the modes of management and of teaching, and making such suggestions as he may deem helpful.

Section 3. He shall be provided with a suitable office at the county seat, furnished with the necessary furniture incidental thereto, by the court of county commissioners. In counties having fifty or fewer schools, he shall devote at least one hundred days per year to the duties of his office; in counties having more than fifty and fewer than seventy-five schools, he shall devote at least one hundred and fifty days; in counties having more than seventy-five and fewer than one hundred schools, he shall devote at least two hundred days; and in counties having one hundred or more, he shall devote at least two hundred and fifty days.

Section 4. The county superintendents shall receive in full for all services rendered by them four per cent. upon all sums distributed or paid by them to the teachers of their respective counties; provided, that they shall receive the fees as are now allowed for holding teachers' examination.

Section 5. No county superintendent, whose salary or compensation amounts to eight hundred dollars or more per year, shall teach in any school in the county during his term of office. He shall forfeit ten dollars for each school he fails to visit as herein prescribed.

Section 6. This act shall take effect October 1, 1907.

On motion of Mr. Sherrod, the bill and pending amendments were laid upon the table.

Yeas, 54; nays, 37.

Yeas:

Messrs:—

Altman	Goodwyn	Parker
Arrington	Gunter	Pearson
Avery	Henley	Pitts (Dallas)
Ballard (Autauga)	Hughston	Pitts (Perry)
Ballard (Pike)	Johnson	Powell (Bullock)
Barton	Killen	Rainer
Bloch	Kornegay	Rushton
Cannon	Lacy (Dallas)	Sample
Carmichael (Clay)	Lacy (Walker)	Sanders
Coleman (Lowndes)	Lawson	Sherrod
Coleman (Marshall)	Lee (Barbour)	Smith (Elmore)
Cranford	Long (Butler)	Smith (Franklin)
Crum	Long (Morgan)	Smith (Lee)
Doyle (Marengo)	Malone	Thompson
Dudley	Mastin	Tunstall
Edwards	Moore	Turner
Elrod	McMillan	Vann
Fuller	Oliver	Williams

—54.

Nays:

Messrs:—

Speaker	Hoffman	Mitchell
Alford	Jenkins	McCrory
Armstrong	John	McDuffie
Arnold	King	Peete
Benners	Kirby	Pugh
Benson	Lancaster	Ragsdale
Brown	Lee (Etowah)	Rattray
Bulger	Lee (Houston)	Rowe
Burney	Lindsey	Seale
Cooper	Lovelady	Weaver
Doyle (Clark)	Maner	White (Lamar)
Foster	Middleton	White (Perry)
Haley		

—37.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House joint resolution No. 255, relative to a joint convention of the two

Houses at 12 o'clock m., tomorrow, for the purpose of electing a U. S. Senator to fill the vacancy in said office caused by the death of the Hon. Jno. Tyler Morgan.

J. A. Kyle,
Secretary.

RECOMMITTAL OF BILLS.

On motion of Mr. Cooper, the bill:

H. 46. (With substitute.) Relating to the sale of food in the State of Alabama, and providing penalties for the violation thereof.

Was recommitted to the standing committee on Public Health, and that said bill was not to lose its place on the calendar.

INDEFINITE POSTPONEMENT OF BILL.

On motion of Mr. Williams, the bill:

H. 424. To define and regulate public warehouses for storage of cotton or other articles of value for compensation and to provide a punishment for the violation of the provisions of this act.

Was indefinitely postponed.

Mr. Gunter asked unanimous consent of the House to recommit House bills, 1001 and 1002, which had been reported adversely by the standing committee on Municipal Organization, back to the standing committee on Municipal Organization. Consent was granted, and the bills, H. 1001 and H. 1002, were so recommitted.

ELECTION OF UNITED STATES SENATOR.

This being the second Tuesday after the organization of the Legislature, and notice of a vacancy in the Senate of the United States, caused by the death of Honorable John T. Morgan, and in pursuance of a House joint resolution heretofore adopted, the hour of twelve o'clock having arrived, the House proceeded by a viva voce vote of each member present to name a person for Senator in Congress for the State of Alabama to fill the vacancy.

Mr. Bulger placed in nomination the name of Hon. John H. Bankhead, of Fayette county, Alabama, to succeed the Hon. John Tyler Morgan as United States Senator from Alabama, and those who voted for Mr. Bankhead are:

Messrs:—

Speaker	Gunter	McDuffie
Altman	Haley	McMillan
Armstrong	Henley	Oliver
Arnold	Hughston	Parker
Arrington	Jenkins	Pearson
Avery	John	Peete
Ballard (Autauga)	Johnson	Pitts (Dallas)
Ballard (Pike)	Jones	Pitts (Perry)
Benners	Killen	Powell (Bullock)
Benson	King	Pratt
Bloch	Kirby	Ragsdale
Brown	Kornegay	Rainer
Bulger	Lacy (Dallas)	Rattray
Burney	Lacy (Walker)	Rushton
Cannon	Lancaster	Sanders
Carmichael (Clay)	Lawson	Sherrod
Coleman (Lowndes)	Lee (Barbour)	Smith (Elmore)
Coleman (Marshall)	Lee (Etowah)	Smith (Etowah)
Cooper	Lee (Houston)	Smith (Franklin)
Cranford	Lindsey	Smith (Lee)
Crum	Long (Butler)	Steagall
Doyle (Clark)	Long (Morgan)	Thompson
Doyle (Marengo)	Lovelady	Tunstall
Dudley	Lyons	Turner
Edwards	Malone	Vann
Elrod	Maner	Weaver
Foster	Mastin	White (Lamar)
Fuller	Mitchell	White (Perry)
Glover	Moore	Williams
Goodwyn	McCrory	

—89.

Being a majority of the whole number of votes cast in the House of Representatives.

BILLS ON THIRD READING.

H. 960. To amend section 1 of an act entitled an act "To aid and encourage technical education in the State of Alabama, and the providing for the erection and equipment of buildings and increased facilities at the Alabama Polytechnic Institute," approved March 2, 1907, so as to read as follows:

Was read a third time, at length, and passed.

Yeas, 66; nays, 1.

Yeas:

Messrs:—

Speaker	Doyle (Marengo)	Maner
Altman	Edwards	Mitchell
Armstrong	Elrod	Moore
Arnold	Fuller	McDuffie
Arrington	Glover	Oliver
Avery	Goodwyn	Parker
Ballard (Autauga)	Gunter	Pearson
Ballard (Pike)	Haley	Pitts (Dallas)
Benners	Henley	Pitts (Perry)
Benson	Hughston	Pratt
Bloch	Jenkins	Rattray
Brown	John	Rushton
Bulger	Johnson	Sample
Burney	King	Sanders
Cannon	Kornegay	Sherrod
Carmichael (Clay)	Lancaster	Smith (Franklin)
Coleman (Lowndes)	Lawson	Smith (Lee)
Coleman (Marshall)	Lee (Barbour)	Thompson
Cooper	Lee (Etowah)	Tunstall
Cranford	Lindsey	Turner
Crum	Long (Morgan)	Vann
Doyle (Clark)	Malone	White (Lamar)

—66.

Nays:

Mr. White (Perry)

—1.

MESSAGE FROM THE GOVERNOR.

Chief Executive Department Alabama.

To the House of Representatives:

In accordance with House joint resolution, approved March 6th, 1907, requesting me to pay the funeral expenses of the late Wm. L. Martin, Speaker of the House of Representatives, out of the contingent fund and report the same to the two Houses, I have approved bills amounting to the sum of \$591.00 incurred for said funeral expenses and the same have been paid by auditor's warrant on the treasurer out of the governor's contingent fund. I herewith transmit you an itemized statement of said bills certified by the auditor.

I recommend that an appropriation be made by the Legislature in the sum of \$591.00 for the reimbursement of the governor's contingent fund.

July 16th, 1907.

B. B. Comer,
Governor.

The above message was read and referred to the standing committee on Appropriations.

MESSAGE FROM THE GOVERNOR.

Chief Executive Department Alabama.

To the House of Representatives:

In accordance with your request, as contained in House joint resolution No. 21, approved January 28th, 1907, I employed at the expense of the State an expert accountant, namely, W. W. Haralson, and directed him to examine the books and accounts of the Tuskegee Normal and Industrial Institute and to make diligent inquiry into every department thereof.

In compliance with said direction, said examination and inquiry were duly made by said accountant and his written report of the same is herewith transmitted to the Legislature by the accompanying document.

In compliance with the authority contained in said resolution, I employed said W. W. Haralson to make an examination of the books and accounts of the Depart-

ment of Agriculture and Industries and also of the Convict Bureau. I herewith transmit said accountant's written report of his said examinations to the Legislature by accompanying documents.

For his services as said accountant, said W. W. Haralson has rendered his itemized account in the sum of \$1,053.30, said accountant covering his examination of the books and accounts of Tuskegee Normal and Industrial Institute, the Department of Agriculture and Industries and of the Convict Bureau. Of the account thus rendered, I have approved said Haralson's bill for \$272.38 for examination of the books and accounts of the Tuskegee Normal and Industrial Institute, and the same has been paid by the auditor's warrant on the treasurer, out of the governor's contingent fund. I recommend an appropriation for the reimbursement of the governor's contingent fund for said sum of \$272.38 thus paid.

I herewith transmit for your consideration said accountant's bill for examining the books and accounts of the Department of Agriculture and Industries as shown by accompanying documents. I further transmit an itemized account of the amount paid said accountant for examining the books and accounts of the Tuskegee Normal and Industrial Institute.

July 16th, 1907.

B. B. Comer,
Governor.

The above message was read and referred to the standing committee on Appropriations, and on motion of Mr. Long, of Butler, 300 copies of the message, together with accompanying report were ordered printed for the House.

BILLS ON THIRD READING.

H. 113. To regulate the ginning of cotton for toll or hire in this State. To require all ginners of cotton for hire or toll to register all cotton brought to their gins in the name of the owner thereof, so far as can be ascertained, and to require the ginners of cotton for hire or

toll to mark every bale of cotton ginned by them with proper marks or initials of the owner thereof, so that the same can be identified; and to require the ginner to keep a register of said marks in a book which shall be open to the public for inspection and to punish violators of said act.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Commerce and Common Carriers, said amendment being as follows:

Section 4. That all local or special laws on this subject are hereby repealed and it is hereby declared to be the intent of this act to apply to the whole State.

And the amendment was adopted.

Yeas, 63; nays, 0.

Messrs:—

Yeas:

Speaker	Foster	Mastin
Alford	Fuller	Mitchell
Altman	Glover	McMillan
Arnold	Goodwyn	Oliver
Arrington	Gunter	Parker
Avery	Henley	Peete
Ballard (Autauga)	Jenkins	Powell (Bullock)
Ballard (Pike)	John	Pratt
Benners	Johnson	Rainer
Benson	Killen	Rattray
Bloch	King	Rowe
Bulger	Kirby	Rushton
Burney	Kornegay	Sample
Cannon	Lancaster	Sherrod
Carmichael (Clay)	Lee (Barbour)	Smith (Etowah)
Coleman (Lowndes)	Lee (Etowah)	Smith (Franklin)
Coleman (Marshall)	Lee (Houston)	Smith (Lee)
Cooper	Long (Butler)	Steagall
Doyle (Marengo)	Lyons	Thompson
Edwards	Malone	Turner
Elrod	Maner	White (Lamar)

And the bill:

H. 113. To regulate the ginning of cotton for toll or hire in this State. To require all ginners of cotton for hire or toll to register all cotton brought to their gins in the name of the owner thereof, so far as can be ascertained, and to require the ginners of cotton for hire or toll to mark every bale of cotton ginned by them with proper marks or initials of the owner thereof, so that the same can be identified; and to require the ginner to keep a register of said marks in a book which shall be open to the public for inspection and to punish violators of said act.

As amended, was read a third time, at length, and passed.

Yeas, 65; nays, 3.

Yeas:

Messrs:—

Speaker	Edwards	Moore
Alford	Elrod	McDuffie
Altman	Foster	McMillan
Armstrong	Fuller	Oliver
Arnold	Glover	Parker
Arrington	Goodwyn	Pearson
Avery	Haley	Peete
Ballard (Autauga)	Henley	Pitts (Perry)
Ballard (Pike)	Hoffman	Powell (Bullock)
Benners	John	Pratt
Bloch	Johnson	Rainer
Bulger	Killen	Rattray
Burney	Kirby	Rowe
Cannon	Kornegay	Rushton
Carmichael (Clay)	Lancaster	Sanders
Coleman (Lowndes)	Lawson	Smith (Etowah)
Coleman (Marshall)	Lee (Barbour)	Smith (Franklin)
Cooper	Long (Butler)	Smith (Lee)
Cranford	Malone	Steagall
Crum	Maner	Thompson
Doyle (Clark)	Mastin	White (Lamar)
Dudley	Mitchell	

Nays:

Messrs:—

Hughston

Sample

• White (Perry)

—3.

On motion of Mr. Elrod, the bill, H. 113, was ordered sent forthwith to the Senate without engrossment.

H. 778. To prevent the shooting of live pigeons, fowls or other birds for amusement, or as a test of skill in marksmanship, and to provide a penalty for same.

Was read a third time, at length, and passed.

Yeas, 61; nays, 5.

Yeas:

Messrs:—

Speaker

Foster

Moore

Alford

Glover

McCrary

Altman

Goodwyn

McMillan

Armstrong

Henley

Oliver

Arnold

Hoffman

Parker

Arrington

Jenkins

Pearson

Avery

John

Peete

Ballard (Autauga)

Johnson

Pitts (Perry)

Ballard (Pike)

Killen

Powell (Bullock)

Benners

King

Rainer

Benson

Kirby

Rushton

Bloch

Kornegay

Sanders

Bulger

Lacy (Walker)

Sherrod

Burney

Lancaster

Smith (Franklin)

Carmichael (Clay)

Lawson

Smith (Lee)

Coleman (Marshall)

Long (Butler)

Steagall

Cooper

Lovelady

Thompson

Cranford

Lyons

Weaver

Doyle (Marengo)

Maner

White (Lamar)

Edwards

Mitchell

Woolf

Elrod

—61.

Nays:

Messrs:—

Cannon

Crum

Sample

Coleman (Lowndes)

Hughston

—5.

On motion of Mr. Goodwyn, the bill, H. 778, was ordered sent forthwith to the Senate without engrossment.

H. 907. To provide for the making of bonds of the State Auditor and Secretary of State through guarantee companies, and to provide for the payment of the premium on same.

Was taken up. The question was upon the adoption of the amendment offered by the standing committee on Judiciary, said amendment being as follows:

Add after word "provided" in line 9 the words "that if"; also strike out word "that" in Sec. 2 and insert in lieu thereof the word "in,"

And the amendment was adopted.

Yeas, 57; nays, 1.

Yeas:

Messrs:—

Speaker	Foster	Mitchell
Armstrong	Fuller	Moore
Arnold	Glover	McCrary
Arrington	Haley	Oliver
Avery	Henley	Parker
Ballard (Autauga)	Hoffman	Pitts (Dallas)
Benners	Hughston	Powell (Bullock)
Bloch	John	Rainer
Brown	Johnson	Rowe
Bulger	King	Rushton
Burney	Kirby	Smith (Franklin)
Carmichael (Clay)	Lacy (Walker)	Smith (Lee)
Coleman (Lowndes)	Lawson	Steagall
Cooper	Lee (Barbour)	Tunstall
Cranford	Lee (Etowah)	Turner
Crum	Long (Butler)	Weaver
Doyle (Marengo)	Lovelady	White (Lamar)
Dudley	Lyons	Williams
Elrod	Malone	Woolf

—57.

Nays:

Mr. Killen

—1.

And the bill:

H. 907. To provide for the making of bonds of the State Auditor and Secretary of State through guarantee companies, and to provide for the payment of the premium on same.

As amended, was read a third time, at length, and passed.

Yeas, 60; nays, 5.

Yeas:

Messrs:—

Speaker	Haley	Moore
Altman	Henley	McCrory
Armstrong	Hoffman	McMillan
Arnold	Hughston	Parker
Arrington	Jenkins	Pearson
Avery	John	Fitts (Dallas)
Ballard (Autauga)	Johnson	Fitts (Perry)
Ballard (Pike)	King	Powell (Bullock)
Benners	Kirby	Pratt
Brown	Kornegay	Rainer
Bulger	Lacy (Dallas)	Rowe
Burney	Lacy (Walker)	Rushton
Carmichael (Clay)	Lancaster	Seale
Coleman (Lowndes)	Lawson	Sherrod
Cooper	Lee (Houston)	Smith (Etowah)
Doyle (Marengo)	Lovelady	Smith (Franklin)
Dudley	Lyons	Smith (Lee)
Edwards	Malone	Tunstall
Foster	Maner	Weaver
Goodwyn	Mitchell	Williams

—60.

Nays:

Messrs:—

Cannon	Peete	White (Lamar)
Oliver	Sanders	

—5.

On motion of Mr. Foster, the bill, H. 907, was ordered sent forthwith to the Senate without engrossment.

H. 565. To confer upon foreign municipal corporations of adjoining States the power and authority to acquire, own, take and dispose of property in the State of

Alabama, for the purpose of procuring water in this State for a municipal water supply; and also to confer upon such municipalities the power to contract to furnish a supply of water to any town, city or municipality of this State.

Was taken up. The question was upon the adoption of the amendments reported by the standing committee on Municipal Organization, said amendment being as follows:

Amend section 1 by striking out the words "General Assembly" and inserting in lieu thereof the word "Legislature."

Add at the end of section four the following:

Provided, however, that nothing in this act contained shall authorize any foreign municipality to exercise any jurisdiction over any territory acquired by it under this act, but the jurisdiction of the State of Alabama shall be in all things retained over said territory, and the property so acquired by any foreign municipality shall be subject to taxation in this State as the property of individuals and private corporations. And before the power and authority conferred by this act may be exercised the consent of the board of revenue or court of county commissioners of the county in which the property lies, and if the said property lies within the limits of any incorporated municipality, then the consent of the governing authority of said incorporated municipality shall be first obtained.

And the amendment was adopted.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Ballard (Autauga)	Crum
Alford	Benners	Doyle (Marengo)
Altman	Brown	Dudley
Armstrong	Burney	Edwards
Arnold	Cannon	Foster
Arrington	Carmichael (Clay)	Glover
Avery	Coleman (Lowndes)	Goodwyn
Ballard (Pike)	Cooper	Haley

Henley	Mitchell	Rowe
Hoffman	Moore	Rushton
Hughston	McCrory	Sample
King	McMillan	Sanders
Kirby	Oliver	Sherrod
Kornegay	Parker	Smith (Elmore)
Lacy (Dallas)	Pearson	Smith (Franklin)
Lancaster	Peete	Smith (Lee)
Lawson	Pitts (Dallas)	Weaver
Lyons	Pitts (Perry)	White (Lamar)
Maner	Rainer	Williams

—57.

H. 565. To confer upon foreign municipal corporations of adjoining States the power and authority to acquire, own, take and dispose of property in the State of Alabama, for the purpose of procuring water in this State for a municipal water supply; and also to confer upon such municipalities the power to contract to furnish a supply of water to any town, city or municipality of this State.

And the bill:

As thus amended, was read a third time, at length, and passed.

Yeas, 58; nays, 1.

Yeas:

Messrs:—

Speaker	Carmichael (Clay)	Malone
Alford	Cooper	Maner
Altman	Doyle (Marengo)	Mitchell
Armstrong	Edwards	Moore
Arnold	Foster	McCrory
Arrington	Fuller	McMillan
Avery	Glover	Oliver
Ballard (Autauga)	Goodwyn	Parker
Ballard (Pike)	Hoffman	Pearson
Barton	Hughston	Peete
Benners	Kirby	Pitts (Dallas)
Bulger	Lancaster	Pitts (Perry)
Burney	Lawson	Powell (Bullock)
Cannon	Lee (Barbour)	Pratt

Rainer	Smith (Elmore)	Vann
Rowe	Smith (Etowah)	Weaver
Rushton	Smith (Franklin)	White (Lamar)
Sanders	Smith (Lee)	Williams
Seale	Thompson	
Sherrod	Tunstall	

—58.

Nays:

Mr. John

—1.

ADJOURNMENT.

The hour of one o'clock having arrived, under the rules the House adjourned until 3 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

On a call of the roll, the following members answered to their names:

Messrs:—

Speaker	Cooper	Kirby
Altman	Cranford	Kornegay
Armstrong	Crum	Lacy (Dallas)
Arnold	Doyle (Marengo)	Lacy (Walker)
Arrington	Edwards	Lancaster
Avery	Elrod	Lawson
Ballard (Pike)	Foster	Lee (Barbour)
Baltzell	Fuller	Lee (Etowah)
Barton	Glover	Lee (Houston)
Benners	Gunter	Lindsey
Benson	Haley	Long (Butler)
Bloch	Henley	Long (Morgan)
Brown	Hoffman	Lovelady
Bulger	Hughston	Lyons
Burney	Jenkins	Malone
Cannon	John	Maner
Carmichael (Clay)	Johnson	Middleton
Coleman (Lowndes)	Killen	Mitchell
Coleman (Marshall)	King	Moore

McCrory	Rainer	Smith (Etowah)
McDuffie	Ratray	Smith (Franklin)
McMillan	Rice	Steagall
Oliver	Rowe	Thompson
Parker	Rushton	Tunstall
Pearson	Sample	Turner
Peete	Sanders	Vann
Pitts (Dallas)	Sanford	Weaver
Pitts (Perry)	Seale	White (Lamar)
Powell (Bullock)	Sherrod	White (Perry)
Pratt	Smith (Elmore)	Williams
Price	Smith (Lee)	Woolf
Ragsdale		

—94.

A quorum was present.

PRIVILEGES OF THE FLOOR.

On motion of Mr. Henley, the privileges of the floor were extended to Dr. Johnson, of Birmingham, for the afternoon session.

BILLS ON THIRD READING.

H. 932. To vacate and annul as a public street or highway that part of Seventh or Twenty-third street in the town of North Birmingham, Alabama, which lies northwestwardly of the northern line of avenue A or Thirty-sixth avenue and southwestwardly of the southern line of avenue B or Thirty-seventh avenue, and to extinguish and annul the dedication thereof.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Ballard (Autauga)	Burney
Altman	Ballard (Pike)	Cannon
Armstrong	Benners	Carmichael (Clay)
Arnold	Bloch	Cooper
Arrington	Brown	Cranford
Avery	Bulger	Crum

Doyle (Clark)	Kirby	McMillan
Doyle (Marengo)	Kornegay	Oliver
Edwards	Lacy (Dallas)	Parker
Elrod	Lacy (Walker)	Pearson
Fuller	Lee (Barbour)	Pitts (Dallas)
Glover	Lee (Etowah)	Pitts (Perry)
Goodwyn	Long (Butler)	Powell (Bullock)
Haley	Lovelady	Power
Henley	Malone	Rattray
Hoffman	Maner	Rushton
Hughston	Mitchell	Sherrod
Killen	Moore	Weaver
King		

—55.

On motion of Mr. Glover, the bill was ordered sent forthwith to the Senate without engrossment.

H. 133. To amend an act entitled "An act to establish an inferior court in precincts 21 and 37 in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precincts and to define the jurisdiction and powers of said court and the judges thereof," approved September 26th, 1903.

Was read a third time, at length, and passed.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Speaker	Cranford	John
Altman	Crum	Killen
Armstrong	Doyle (Clark)	King
Arnold	Doyle (Marengo)	Kornegay
Arrington	Edwards	Lacy (Dallas)
Ballard (Autauga)	Elrod	Lacy (Walker)
Ballard (Pike)	Foster	Lee (Barbour)
Barton	Glover	Lee (Etowah)
Benners	Goodwyn	Long (Butler)
Bloch	Haley	Lovelady
Bulger	Henley	Malone
Burney	Hoffman	Moore
Carmichael (Clay)	Hughston	McCrory

McMillan	Powell (Bullock)	Smith (Elmore)
Oliver	Rainer	Smith (Etowah)
Parker	Ratray	Smith (Franklin)
Pearson	Rowe	Weaver
Peete	Sample	White (Lamar)
Pitts (Dallas)	Sanders	Williams
Pitts (Perry)	Sanford	

—59.

H. 885. To amend an act entitled "An act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within one mile of Old Mount Zion Baptist church, Barbour county," approved February 9th, 1897, and to provide a penalty for the violation of this act.

Was read a third time, at length, and passed.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	McCrory
Altman	Glover	McDuffie
Armstrong	Goodwyn	McMillan
Arnold	Haley	Oliver
Avery	Henley	Parker
Ballard (Autauga)	Hoffman	Pearson
Ballard (Pike)	Hughston	Peete
Barton	Killen	Pitts (Dallas)
Benners	Kirby	Pitts (Perry)
Benson	Kornegay	Powell (Bullock)
Bloch	Lacy (Dallas)	Ratray
Bulger	Lacy (Walker)	Rowe
Burney	Lee (Barbour)	Rushton
Carmichael (Clay)	Lee (Etowah)	Sample
Coleman (Marshall)	Lindsey	Sanford
Cooper	Long (Butler)	Smith (Etowah)
Cranford	Long (Morgan)	Turner
Doyle (Clark)	Lovelady	Weaver
Doyle (Marengo)	Mitchell	White (Lamar)
Edwards	Moore	Williams

—59.

H. 891. To provide for the election of the county commissioners of Bibb county, Alabama, and to prescribe their terms of office.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Moore
Altman	Glover	McCrory
Armstrong	Goodwyn	McDuffie
Arnold	Haley	Parker
Arrington	Henley	Pearson
Ballard (Autauga)	Hughston	Peete
Ballard (Pike)	Jenkins	Pitts (Dallas)
Benners	Killen	Pitts (Perry)
Brown	Kirby	Powell (Bullock)
Bulger	Kornegay	Rattray
Burney	Lacy (Dallas)	Rushton
Carmichael (Clay)	Lacy (Walker)	Sample
Cooper	Lancaster	Sanders
Cranford	Lawson	Sanford
Doyle (Clark)	Lee (Barbour)	Smith (Etowah)
Doyle (Marengo)	Lee (Etowah)	Smith (Franklin)
Edwards	Long (Butler)	Smith (Lee)
Elrod	Malone	Turner
Foster	Mitchell	

—57.

H. 1033. Providing for the more efficient working of the public roads in Wilcox county; to provide for the revenues for the same, including a vehicle license; to divide the county into five road districts; to appoint and elect road supervisors and overseers for the same; to provide for the appointment of one civil engineer; to provide for a commutation of \$7.50 per capita in lieu of work; and such other details as may be necessary for the working of the public roads in Wilcox county.

Was read a third time, at length, and passed.

Yeas, 68; nays, 0.

Yeas :**Messrs :—**

Speaker	Foster	Moore
Altman	Fuller	McCrary
Armstrong	Glover	McDuffie
Arnold	Goodwyn	McMillan
Arrington	Haley	Oliver
Avery	Henley	Parker
Ballard (Autauga)	Hoffman	Pearson
Ballard (Pike)	Jenkins	Peete
Benners	John	Pitts (Dallas)
Benson	Killen	Pitts (Perry)
Bloch	King	Powell (Bullock)
Brown	Kirby	Ralner
Bulger	Kornegay	Rushton
Burney	Lacy (Dallas)	Sample
Carmichael (Clay)	Lacy (Walker)	Sanders
Coleman (Marshall)	Lancaster	Sanford
Cooper	Lawson	Sherrod
Cranford	Lee (Barbour)	Smith (Elmore)
Crum	Lee (Etowah)	Smith (Etowah)
Doyle (Clark)	Lindsey	Smith (Franklin)
Doyle (Marengo)	Lovelady	Smith (Lee)
Edwards	Lyons	Turner
Elrod	Mitchell	

—68.

On motion of Mr. Bloch, the bill was ordered sent forthwith to the Senate without engrossment.

H. 934. To repeal an act entitled, "An act to provide for the establishing of a separate school district to be known as the North Birmingham district in Jefferson county, Alabama, and to provide for the selection of a board of trustees for said school idsrict with certain duties and powers," approved March 4th, 1901.

Was read a third time, at length, and passed.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Edwards	Mitchell
Altman	Elrod	Moore
Armstrong	Foster	McCrory
Arnold	Fuller	McDuffie
Arrington	Glover	McMillan
Avery	Goodwyn	Oliver
Ballard (Autauga)	Haley	Parker
Ballard (Pike)	Henley	Pearson
Barton	Hoffman	Peete
Benners	Hughston	Pitts (Dallas)
Benson	John	Pitts (Perry)
Bloch	Killen	Powell (Bullock)
Brown	King	Rattray
Burney	Kirby	Rushton
Carmichael (Clay)	Kornegay	Sample
Coleman (Lowndes)	Lacy (Dallas)	Sanders
Coleman (Marshall)	Lancaster	Sanford
Cranford	Lawson	Sherrod
Doyle (Clark)	Long (Butler)	Smith (Etowah)
Doyle (Marengo)	Lovelady	Smith (Franklin)

—60.

H. 870. To repeal an act entitled "An act to establish the county court of Coffee for Coffee county, with criminal jurisdiction in misdemeanor cases," approved February 8th, 1901, and all subsequent and amendatory acts relating to said court, and to transfer all the civil and criminal proceedings therein pending, together with all the dockets, papers and books relating to said cases in said county court of Coffee to the circuit court of Coffee county, Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Ballard (Autauga)	Bloch
Altman	Ballard (Pike)	Brown
Armstrong	Benners	Bulger
Arrington	Benson	Burney

Carmichael (Clay)	King	Peete
Coleman (Lowndes)	Kornegay	Pitts (Dallas)
Coleman (Marshall)	Lacy (Dallas)	Pitts (Perry)
Cooper	Lacy (Walker)	Powell (Bullock)
Doyle (Clark)	Lancaster	Rattray
Doyle (Marengo)	Lawson	Rowe
Foster	Lee (Etowah)	Rushton
Glover	Malone	Sample
Goodwyn	Moore	Sanders
Gunter	McCrary	Sanford
Haley	McDuffie	Seale
Henley	McMillan	Sherrod
Hoffman	Oliver	Smith (Elmore)
Hughston	Parker	Smith (Etowah)
John	Pearson	Weaver
Killen		

—58.

H. 1065. To vacate and annul the dedication of the following highways and parts of highways, situated in Birmingham, Jefferson county, Alabama, to-wit: All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property. All of Eighth street from First avenue, north, to the right-of-way of the Alabama Great Southern railroad company. All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron and Railroad Company.

Was read a third time, at length, and passed.

Yeas, 59; nays, 1.

Yeas:

Messrs:—

Speaker	Barton	Cooper
Altman	Renner	Cranford
Armstrong	Benson	Crum
Arnold	Bloch	Doyle (Clark)
Arrington	Burney	Doyle (Marengo)
Avery	Cannon	Edwards
Ballard (Autauga)	Carmichael (Clay)	Elrod
Ballard (Pike)	Coleman (Lowndes)	Foster

Fuller	Lee (Etowah)	Pitts (Perry)
Glover	Lovelady	Powell (Bullock)
Goodwyn	Mitchell	Rattray
Haley	Moore	Rushton
Henley	McCrory	Sample
Hoffman	McDuffie	Sanders
Hughston	McMillan	Sanford
King	Oliver	Smith (Etowah)
Kirby	Parker	Smith (Franklin)
Kornegay	Pearson	Smith (Lee)
Lacy (Dallas)	Peete	Weaver
Lacy (Walker)	Pitts (Dallas)	

—59.

Nays:

Mr. John

—1.

H. 1067. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All that part of the alleys lying and running through blocks 83, 122, 126 and 168, lying within one hundred feet of the Fourteenth street and the continuation thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land and Improvement Company, and situated in Bessemer, Jefferson county, Alabama. Also all that part of the alley in block B of Hall's addition to Bessemer, map of the plan and survey of which is recorded in the office of the judge of probate of Jefferson county, Alabama, in map book three at page twenty-three, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama; also all that part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama; also all that part of Seventeenth street lying between First avenue and Alabama avenue in the city of Bessemer, Jefferson county, Alabama; and also all the alleys lying within and running through blocks two hundred and one and two hundred and two in the city of Bessemer, Jefferson county, Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Doyle (Clark)	Moore
Altman	Doyle (Marengo)	McCrory
Armstrong	Edwards	McDuffie
Arnold	Elrod	McMillan
Arrington	Foster	Oliver
Avery	Fuller	Parker
Ballard (Autauga)	Glover	Pearson
Ballard (Pike)	Haley	Peete
Baltzell	Henley	Pitts (Dallas)
Barton	Hoffman	Pitts (Perry)
Benson	Killen	Powell (Bullock)
Bloch	King	Rainer
Brown	Kornegay	Rattray
Bulger	Lacy (Dallas)	Rushton
Burney	Lawson	Sample
Carmichael (Clay)	Lee (Barbour)	Sanders
Coleman (Lowndes)	Lovelady	Sanford
Cooper	Maner	Sherrod
Cranford	Mitchell	Weaver
Crum		

—58.

H. 1046. To amend section two of "An act to constitute the city of Anniston a separate school district and to provide a board of education therefor."

Was read a third time, at length, and passed.

Yeas, 59; nays, 1.

Yeas:

Messrs:—

Speaker	Ballard (Pike)	Carmichael (Clay)
Alford	Barton	Cooper
Altman	Benners	Cranford
Armstrong	Benson	Crum
Arnold	Bloch	Doyle (Clark)
Arrington	Brown	Doyle (Marengo)
Avery	Bulger	Edwards
Ballard (Autauga)	Burney	Elrod

Foster	Lancaster	Pearson
Fuller	Lindsey	Peete
Glover	Long (Butler)	Pitts (Dallas)
Goodwyn	Lovelady	Pitts (Perry)
Gunter	Maner	Powell (Bullock)
Haley	Mitchell	Rainer
Henley	Moore	Ratray
Hoffman	McCrory	Sample
Kirby	McDuffie	Sanders
Kornegay	McMillan	Sherrod
Lacy (Dallas)	Oliver	White (Lamar)
Lacy (Walker)	Parker	

—59.

Nays:

Mr. John

—1.

H. 897. To change the boundary line between the counties of Cleburne and Calhoun.

Was read a third time, at length, and passed.

Yeas, 77; nays, 0.

Yeas:

Messrs:—

Speaker	Doyle (Clark)	Lee (Barbour)
Alford	Doyle (Marengo)	Lee (Etowah)
Altman	Edwards	Lee (Houston)
Armstrong	Elrod	Lindsey
Arnold	Foster	Lovelady
Arrington	Fuller	Lyons
Avery	Glover	Mitchell
Ballard (Autauga)	Goodwyn	Moore
Ballard (Pike)	Haley	McCrory
Benners	Hoffman	McDuffie
Benson	John	McMillan
Bulger	Killen	Oliver
Burney	King	Parker
Cannon	Kirby	Pearson
Carmichael (Clay)	Kornegay	Peete
Coleman (Marshall)	Lacy (Dallas)	Pitts (Dallas)
Cooper	Lacy (Walker)	Pitts (Perry)
Cranford	Lancaster	Powell (Bullock)
Crum	Lawson	Pratt

Ragsdale	Sanford	Steagall
Rainer	Seale	Thompson
Rattray	Sherrod	Tunstall
Rowe	Smith (Elmore)	Turner
Rushton	Smith (Etowah)	Weaver
Sample	Smith (Franklin)	White (Lamar)
Sanders	Smith (Lee)	

—77.

On motion of Mr. Cooper, the bill was ordered sent forthwith to the Senate without engrossment.

H. 964. To amend sections 5 and 15 of an act entitled "An act to establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, provide for fees, commissions, fines, forfeitures and juries in said court; provide for supplies for said court, and repeal conflicting laws," approved the 5th day of March, 1907.

Was read a third time, at length, and passed.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Coleman (Lowndes)	John
Alford	Coleman (Marshall)	Killen
Altman	Cooper	King
Armstrong	Cranford	Kirby
Arnold	Crum	Kornegay
Arrington	Doyle (Clark)	Lacy (Dallas)
Avery	Doyle (Marengo)	Lacy (Walker)
Ballard (Autauga)	Edwards	Lancaster
Ballard (Pike)	Elrod	Lawson
Benners	Foster	Lee (Barbour)
Benson	Fuller	Lee (Etowah)
Bloch	Glover	Lovelady
Brown	Goodwyn	Lyons
Bulger	Haley	Mitchell
Burney	Henley	Moore
Carmichael (Clay)	Hoffman	McCrory

McDuffie	Pearson	Rainer
McMillan	Peete	Rattray
Oliver	Pitts (Dallas)	Smith (Elmore)
Parker	Pitts (Perry)	Smith (Lee)

—60.

On motion of Mr. Smith, of Lee, the bill was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The President of the Senate having signed the following Senate bills:

S. 118. To amend an act entitled an act to better provide for the revenue of the State, amending sub-division two of section 3907 of the Code, approved March 4th, 1903.

S. 221. To amend section seventeen of an act to establish a uniform system for the examination and licensing of teachers of public schools, approved February 10th, 1899, amended February 8th, 1901.

S. 258. To repeal an act entitled an act to constitute the town of Blountsville and vicinity, in Blount county, a separate school district, approved February 5th, 1885.

S. 327. An act to amend section 7 of an act entitled an act to amend an act to regulate the trials of misdemeanors in Bibb county, approved December 14th, 1894.

Your signature thereto is requested.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing message from the Senate.

MESSAGE FROM THE GOVERNOR.

To the House of Representatives:

In accordance with the provisions of House bill 188, approved Feb. 17, 1903, I herewith transmit by accompanying documents a detailed report of the entire work and operation of the Capitol commission for the consideration of the Legislature.

B. B. Comer,
Governor.

July 16th, 1907.

And the message from the governor was read and referred to the standing committee on Capitol and Grounds.

BILLS ON THIRD READING.

H. 1034. To amend section 2 of an act, entitled an act to amend an act, entitled an act to establish, maintain and regulate a dispensary in the town of Camden, Wilcox county, Alabama, for the sale of spirituous, vinous and malt liquors, approved September 23, 1903, so as to provide that the one-fourth of the net proceeds of said dispensary, shall be appropriated to the public road fund for Wilcox county, and providing for the election by the Mayor and board of aldermen of the town of Camden, Alabama, for a cashier to issue checks for the purchase of liquors in said dispensary.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Elrod
Alford	Bulger	Fuller
Altman	Burney	Goodwyn
Armstrong	Carmichael (Clay)	Haley
Arnold	Coleman (Lowndes)	Henley
Arrington	Coleman (Marshall)	Kornegay
Avery	Cooper	Lacy (Dallas)
Ballard (Autauga)	Crum	Lacy (Walker)
Ballard (Pike)	Doyle (Clark)	Lancaster
Benners	Doyle (Marengo)	Lawson
Benson	Edwards	Lee (Barbour)

Lee (Etowah)	Parker	Rowe
Lee (Houston)	Pearson	Rushton
Long (Morgan)	Peete	Sample
Lyons	Pitts (Dallas)	Sanders
Mitchell	Pitts (Perry)	Sanford
Moore	Powell (Bullock)	Smith (Elmore)
McCrory	Price	Smith (Franklin)
McDuffie	Rainer	Smith (Lee)
McMillan	Rattray	Weaver
Oliver	Rice	White (Perry)

—63.

On motion of Mr. Bloch, the bill was ordered sent to the Senate without engrossment.

H. 862. To provide for the payment of jurors of Clarke county, Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	Lawson
Alford	Edwards	Lee (Barbour)
Altman	Elrod	Lee (Etowah)
Armstrong	Foster	Lindsey
Arnold	Fuller	Long (Morgan)
Arrington	Glover	Malone
Avery	Goodwyn	Mastin
Ballard (Autauga)	Gunter	Mitchell
Ballard (Pike)	Haley	Moore
Benners	Henley	McCrory
Bloch	Hoffman	McDuffie
Brown	Jenkins	McMillan
Bulger	John	Oliver
Burney	Killen	Parker
Cannon	King	Pearson
Carmichael (Clay)	Kirby	Peete
Cooper	Kornegay	Pitts (Dallas)
Cranford	Lacy (Dallas)	Pitts (Perry)
Doyle (Clark)	Lacy (Walker)	Ragsdale
Doyle (Marengo)	Lancaster	Rattray

Rowe	Sanders	Steagall
Rushton	Sherrod	Turner
Sample	Smith (Etowah)	

—58.

H. 901. To authorize the court of county commissioners of Clay county, Alabama, to pay annually, on claims for public roads and bridges, an amount out of the general fund of said county, not to exceed one-fifth of said general fund, levied and collected in any one year.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Cranford	Lacy (Dallas)
Alford	Crum	Lacy (Walker)
Altman	Doyle (Clark)	Lancaster
Armstrong	Doyle (Marengo)	Lawson
Arnold	Edwards	Lee (Etowah)
Arrington	Elrod	Long (Butler)
Avery	Foster	Lovelady
Ballard (Autauga)	Fuller	Mitchell
Ballard (Pike)	Glover	Moore
Benners	Goodwyn	McCrory
Benson	Gunter	McDuffie
Bloch	Haley	McMillan
Brown	Henley	Oliver
Bulger	Hoffman	Parker
Burney	John	Peete
Carmichael (Clay)	Killen	Pitts (Dallas)
Coleman (Lowndes)	King	Pitts (Perry)
Coleman (Marshall)	Kirby	Powell (Bullock)
Cooper	Kornegay	

—56.

H. 899. To validate claims against Clay county, Alabama, for work and labor and material or supplies furnished said county under provisions of the recent Clay county road law which has been declared unconstitutional, and authorize the commissioners' court to audit

and allow such claims as preferred claims against the general fund of said county, and direct payment of same.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Altman	Cranford	Kornegay
Armstrong	Crum	Lacy (Dallas)
Arnold	Doyle (Clark)	Lacy (Walker)
Arrington	Doyle (Marengo)	Lancaster
Avery	Edwards	Lawson
Ballard (Autauga)	Elrod	Lyons
Ballard (Pike)	Foster	Mitchell
Barton	Fuller	Moore
Benners	Glover	McCrary
Benson	Goodwyn	McDuffie
Bloch	Gunter	McMillan
Brown	Haley	Oliver
Bulger	Henley	Parker
Burney	Hoffman	Pearson
Cannon	Hughston	Peete
Carmichael (Clay)	John	Pitts (Dallas)
Coleman (Lowndes)	Killen	Pitts (Perry)
Coleman (Marshall)	King	Powell (Bullock)
Cooper	Kirby	Sanford

—57.

H. 879. To dissolve the quarantine board of Mobile bay and provide for the disposition of its assets.

Was read a third time, at length, and passed.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Alford	Ballard (Pike)	Burney
Altman	Barton	Carmichael (Clay)
Armstrong	Benners	Coleman (Lowndes)
Arnold	Benson	Coleman (Marshall)
Arrington	Bloch	Cooper
Avery	Brown	Cranford
Ballard (Autauga)	Bulger	Crum

Doyle (Clark)	Kirby	Norville
Doyle (Marengo)	Kornegay	Parker
Edwards	Lacy (Dallas)	Pearson
Elrod	Lancaster	Peete
Foster	Lawson	Pitts (Dallas)
Fuller	Lee (Barbour)	Pitts (Perry)
Glover	Long (Butler)	Powell (Bullock)
Goodwyn	Lovelady	Ragsdale
Haley	Lyons	Rainer
Henley	Mitchell	Rattray
Hoffman	Moore	Smith (Etowah)
John	McCrory	Smith (Lee)
King	McDuffie	

—59.

H. 904. To prohibit and punish the selling, bartering or exchanging of spirituous, vinous or malt liquors, or intoxicating drinks in the county of Colbert, after the first day of August, 1907, except in dispensaries located in the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in said county, and to allow the sale of grape wine under certain conditions.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Alford	Carmichael (Clay)	King
Altman	Cooper	Kirby
Armstrong	Crum	Kornegay
Arnold	Doyle (Clark)	Lacy (Dallas)
Arrington	Doyle (Marengo)	Lacy (Walker)
Avery	Edwards	Lancaster
Ballard (Autauga)	Elrod	Lee (Barbour)
Ballard (Pike)	Foster	Lee (Etowah)
Barton	Fuller	Mastin
Benners	Glover	Mitchell
Benson	Goodwyn	McCrory
Bloch	Gunter	McDuffie
Brown	Henley	McMillan
Bulger	Hoffman	Oliver
Burney	Hughston	Parker

Pearson	Powell (Bullock)	Rushton
Peete	Ragsdale	Sample
Pitts (Dallas)	Rainer	Sanders
Pitts (Perry)	Ratray	Sanford

—57.

H. 948. To provide for the payment of State witnesses in criminal cases in Conecuh county, Alabama.

Was read a third time, at length, and passed.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Alford	Crum	Oliver
Altman	Doyle (Clark)	Parker
Armstrong	Doyle (Marengo)	Pearson
Arnold	Foster	Peete
Arrington	Fuller	Pitts (Dallas)
Avery	Gunter	Pitts (Perry)
Ballard (Autauga)	Haley	Power
Ballard (Pike)	Henley	Pugh
Barton	Kirby	Ragsdale
Benness	Kernegay	Ratray
Benson	Lancaster	Rice
Bloch	Lee (Barbour)	Rowe
Brown	Lee (Etowah)	Rushton
Bulger	Lee (Houston)	Sanford
Burney	Maner	Sherrod
Carmichael (Clay)	Mitchell	Smith (Elmore)
Coleman (Lowndes)	Moore	Smith (Etowah)
Coleman (Marshall)	McCrory	Smith (Franklin)
Cooper	McDuffie	Smith (Lee)
Cranford	McMillan	

—59.

H. 1007. For the relief of T. J. East, a one-legged, disabled ex-confederate soldier, in accordance with an act as approved Feb. 10th, 1899, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows. Requiring the probate judge of Randolph county to place or cause to be placed the name of T. J. East on the pension list of the ex-confederate soldiers of the county of Randolph.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Alford	Doyle (Marengo)	Lovelady
Altman	Dudley	Malone
Armstrong	Elrod	Mastin
Arnold	Foster	Mitchell
Arrington	Fuller	Moore
Avery	Glover	McCrory
Ballard (Autauga)	Goodwyn	McDuffie
Ballard (Pike)	Gunter	McMillan
Barton	Haley	Oliver
Benners	Henley	Parker
Bloch	John	Pearson
Brown	Killen	Peete
Bulger	King	Pitts (Dallas)
Burney	Kirby	Pitts (Perry)
Cannon	Kornegay	Powell (Bullock)
Coleman (Lowndes)	Lacy (Walker)	Ragsdale
Coleman (Marshall)	Lancaster	Rainer
Cooper	Lawson	Rattray
Cranford	Lee (Barbour)	Rowe
Doyle (Clark)		

—58.

H. 912. To repeal an act entitled an act "To constitute a board of jury commissioners for Crenshaw county," approved February 7th, 1899.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Alford	Cooper	King
Arnold	Crum	Lacy (Dallas)
Ballard (Autauga)	Doyle (Clark)	Lacy (Walker)
Ballard (Pike)	Doyle (Marengo)	Lee (Barbour)
Benners	Elrod	Lee (Etowah)
Bloch	Fuller	Long (Butler)
Bulger	Goodwyn	Long (Morgan)
Burney	Haley	Malone
Carmichael (Clay)	John	Maner

Mastin	Pitts (Dallas)	Sanford
Mitchell	Pitts (Perry)	Sherrod
Moore	Powell (Bullock)	Smith (Elmore)
McCrory	Powell (Covington)	Smith (Franklin)
McDuffie	Power	Smith (Lee)
McMillan	Ragsdale	Steagall
Oliver	Rainer	Tunstall
Parker	Ratray	Turner
Pearson	Rowe	Weaver
Peete	Rushton	Williams

—57.

On motion of Mr. Rushton, the bill was ordered sent to the Senate without engrossment.

H. 913. For the maintenance, improvement, and protection of the public roads and bridges of Cullman county, Alabama, and to provide for a special road tax therefor; also, for the purchase of implements, teams and other things necessary in the construction and improvement of the same; to pay for the same either out of the general fund for the county or the special road and bridge fund; to provide for the appointment by the commissioners' court of said county, of a road superintendent or superintendents and surveyor or surveyors, fixing their pay, defining their duties, and conferring special powers on the commissioners' court of said county; providing for the method of employing hands and how certain parties may be required to take out a license for the use of said public roads; providing the method of appointing apportioners and overseers and defining their duties, and how they can be excused from serving as such; defining the road year and those liable to road duty, the time they may be required to work; describing the manner in which they may pay in lieu of work to the tax collector of said county, and his duty as to same, and the method of warning hands, and defining those who are exempt from road duty.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Altman	John	Pitts (Perry)
Armstrong	Killen	Power
Avery	King	Pratt
Ballard (Pike)	Kornegay	Rainer
Benners	Lacy (Dallas)	Ratray
Bloch	Lacy (Walker)	Sample
Brown	Lee (Barbour)	Sanders
Burney	Long (Butler)	Sanford
Carmichael (Clay)	Lovelady	Sherrod
Coleman (Lowndes)	Malone	Smith (Etowah)
Cranford	Mitchell	Smith (Lee)
Doyle (Clark)	Moore	Tunstall
Doyle (Marengo)	McCrory	Turner
Dudley	McDuffie	Weaver
Elrod	McMillan	White (Lamar)
Foster	Oliver	White (Perry)
Goodwyn	Parker	Williams
Haley	Pearson	Woolf
Hoffman	Pitts (Dallas)	

—56.

H. 917. To prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters or beverages, in Dale county, Alabam.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Altman	Cooper	Kirby
Arnold	Doyle (Clark)	Lacy (Dallas)
Avery	Doyle (Marengo)	Lacy (Walker)
Ballard (Pike)	Edwards	Lancaster
Benners	Foster	Lee (Barbour)
Benson	Fuller	Lee (Etowah)
Bloch	Goodwyn	Lee (Houston)
Brown	Haley	Long (Butler)
Bulger	John	Lovelady
Carmichael (Clay)	Killen	Malone
Coleman (Marshall)	King	Mitchell

Moore	Pitts (Perry)	Sherrod
McCrory	Powell (Bullock)	Smith (Elmore)
McDuffie	Ragsdale	Smith (Franklin)
McMillan	Rainer	Smith (Lee)
Parker	Rattray	Steagall
Pearson	Rowe	Turner
Peete	Rushton	Weaver
Pitts (Dallas)	Sanford	White (Lamar)

—57.

H. 921. To regulate the fine and forfeiture fund of Escambia county and to better provide for the payment of State witness and officers' fees in said county.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	Middleton
Alford	Edwards	Mitchell
Altman	Foster	Moore
Armstrong	Fuller	McCrory
Arnold	Goodwyn	McMillan
Arrington	Haley	Norville
Ballard (Autauga)	Henley	Oliver
Ballard (Pike)	Hoffman	Parker
Barton	Hughston	Pitts (Dallas)
Benson	Jenkins	Powell (Covington)
Bloch	Johnson	Power
Brown	Killen	Price
Bulger	Kirby	Ragsdale
Cannon	Lacy (Dallas)	Rainer
Carmichael (Clay)	Lee (Barbour)	Rowe
Coleman (Lowndes)	Lee (Etowah)	Sanford
Coleman (Marshall)	Lee (Houston)	Smith (Elmore)
Cooper	Lindsey	Steagall
Cranford	Lovelady	Vann
Doyle (Clark)	Malone	Woolf
Doyle (Marengo)	Maner	

—62.

H. 952. To alter and rearrange the boundary lines and corporate limits of the town of Elyton, Jefferson county, Alabama.

Was read a third time, at length, and passed.

Yeas, 61; nays, 0.

Yeas:

Messrs:—

Alford	Fuller	McCrory
Altman	Glover	McDuffie
Armstrong	Goodwyn	McMillan
Avery	Haley	Oliver
Ballard (Autauga)	Henley	Parker
Ballard (Pike)	Hoffman	Pearson
Benners	Killen	Peete
Bloch	Kirby	Pitts (Dallas)
Brown	Kornegay	Pitts (Perry)
Bulger	Lacy (Dallas)	Pratt
Burney	Lacy (Walker)	Ragsdale
Cannon	Lawson	Rainer
Carmichael (Clay)	Lee (Etowah)	Rowe
Coleman (Marshall)	Lee (Houston)	Sample
Cranford	Lindsey	Sanford
Crum	Long (Morgan)	Seale
Doyle (Clark)	Lovelady	Smith (Elmore)
Doyle (Marengo)	Maner	Smith (Franklin)
Dudley	Mitchell	Thompson
Elrod	Moore	Weaver
Foster		

—61.

RESOLUTIONS.

The following resolutions were introduced, and referred to the committee on Rules:

By Mr. Smith, of Elmore:

H. R. 265. Resolved, that H. B. 856, "To fix the compensation of the assistant clerk in the office of the commissioner of agriculture and industries and make appropriation therefor," be made a special and continuing order for Friday, July 19th, immediately after the reading of the journal.

By Mr. Glover:

H. R. 268. Resolved, that H. B. No. 928, relating to the prohibition of the sale of hop-jack, etc., where the sale of spirituous, etc., liquors are sold, be set as a special, paramount and continuing order of business for Thursday, July 18th, at eleven o'clock a. m.

By Mr. Glover:

H. R. 269. Resolved, that H. B. No. 1048, relating to the sale of spirituous, vinous or malt liquors on the prescription of physicians, be set as a special, paramount and continuing order of business for Friday, July 19th, 1907, at eleven a. m.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following resolutions with a favorable report:

By Mr. John:

H. J. R. 266. Resolved by the Legislature of Alabama, That the joint committee of the Legislature appointed to investigate the conduct of "The Alabama Insane Hospital" are authorized to employ a competent stenographer and instructed to proceed with the investigation as speedily as possible, and, to enable them to do so, leave to sit during the session of the Legislature is hereby granted. That the committee shall have the power to send for persons and papers, and to swear and examine witnesses, and must make report to the Legislature of Alabama not later than the forty-fifth legislative day.

And the resolution was adopted.

H. R. 267. Resolved, that the following named bills be made special orders for Wednesday, July 17, 1907, immediately after the report of the committee on Revision of the Journal: H. 939, (For the adoption of the Code; H. 940, (For the publication of the Code); H. 1158, (Municipal Code bill); H. 781, 779, 872, 908, 638, 1028, 1077, 547, 151, 942, 592, S. 131.

And the resolution was adopted.

And the following resolutions with a favorable report with an amendment: H. R. 235, 234, 232, 236, 237, 238, 240, 241, 242, 245, 246. And the resolutions as amended were adopted.

And the following resolutions with an adverse report: H. R. 243, 166, 182, 190, 185, and 189.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bill:

S. 445. To fix and provide for the salary of the judge of the city court of Selma.

And sends same forthwith to the House without engrossment, with notice and proof attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama, when it meets in July, 1907, for the passage of a law fixing the salary of the judge of the city court of Selma at \$3,250.00 per annum, and providing for the payment of \$2,750.00 thereof out of the State treasury, and the residue out of the treasury of Dallas county, Alabama, said salary to be paid monthly.

The State of Alabama, }
County of Dallas. }

Before me, H. F. Reese, a notary public in and for said county and State, personally appeared H. B. Kincey, who being by me first duly sworn, deposes and says that he is publisher of the Selma Mirror, a newspaper, published in Selma, Dallas county, Alabama, and that the notice hereto attached was published once a week for four consecutive weeks in said newspaper, on the following days, to-wit: June 1, 1907, June 8, 1907, June 14, 1907, June 21, 1907.

H. B. Kincey.

Sworn to and subscribed before me this the 6th day of July, 1907.

H. F. Reese,
Notary Public, Dallas County, Ala.

S. 440. To appropriate the sum of thirty (\$30.00) dollars for the relief of I. Moody as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll, and to reinstate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved February 10, 1899.

And sends same forthwith to the House without engrossment, with notice and proof attached and herewith exhibited as follows:

NOTICE.

The State of Alabama, }
Pike County. }

Notice is hereby given that a bill will be presented at the present session of the Legislature of Alabama, at the adjourned term in July, 1907, to pay to I. Moody the sum of \$30.00 for the year 1906 as a pensioner under the act entitled an act for the relief of needy confederate soldiers and their widows, approved February 10, 1899, his name having been erroneously left off said roll, and to reinstate him upon the pension rolls under the statutes of the State.

The State of Alabama, }
Pike County. }

Before me, L. D. Gardner, a notary public in and for said county and State, personally appeared T. H. Brown, who, being first duly sworn, deposes and says: That he is the publisher and proprietor of the newspaper published in Pike county, Alabama, known as the "Troy Herald;" that the above notice as to the proposed bill to be introduced in the Legislature of Alabama in July, 1907, for the relief of I. Moody, a confederate pensioner, was published in the "Troy Herald," a newspa-

per published in Pike county, Alabama, once a week for four consecutive weeks, and that he as publisher and proprietor of said newspaper has personal knowledge of the fact that said above notice was published for four consecutive weeks in the said "Troy Herald" in letters and figures as set out above, said publication commencing on the 27th day of May, 1907, and ending on the 1st day of July, 1907.

T. H. Brown,
Publisher and Proprietor "Troy Herald."

Sworn to and subscribed before me on this the 2nd day of July, 1907.

L. D. Gardner,
Notary Public.

S. 439. To appropriate the sum of thirty (\$30.00) dollars for the relief of C. R. Gibson as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll as being dead and to reinstate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved February 10th, 1899.

And sends same forthwith to the House without engrossment, with notice and proof attached and herewith exhibited as follows:

NOTICE.

The State of Alabama, }
Pike County. }

Notice is hereby given that a bill will be presented at the present session of the Legislature of Alabama, at the adjourned term in July, 1907, to pay C. R. Gibson the sum of \$30.00 for the year 1906 as pensioner under the act entitled an act for the relief of needy confederate soldiers and their widows, approved February 10, 1899, his name having been erroneously left off said roll as being dead,—and to reinstate him upon the pension rolls under the statutes of the State.

The State of Alabama, }
 Pike County. }

Before me, L. D. Gardner, a notary public in and for said county and State, personally appeared T. H. Brown, who, being first duly sworn, deposes and says: That he is the publisher and proprietor of the newspaper published in Pike county, Alabama, known as the "Troy Herald;" that the above notice as to the proposed bill to be introduced in the Legislature of Alabama, in July, 1907, for the relief of C. R. Gibson, a confederate pensioner, was published in the Troy Herald, a newspaper published in Pike county, Alabama, once a week for four consecutive weeks, and that he as publisher and proprietor of said newspaper, has personal knowledge of the fact that said above notice was published for four consecutive weeks in the said "Troy Herald" in letters and figures as set out above, said publication commencing on the 27th day of May, 1907, and ending on the 1st day of July, 1907.

T. H. Brown,
 Publisher and Proprietor of "Troy Herald"

Sworn to and subscribed before me this the 2nd day of July, 1907.

L. D. Gardner,
 Notary Public.

S. 385. To authorize the county of Limestone to construct public roads and to provide the method and manner of their construction and building.

And sends same forthwith to the House without engrossment, with notice and proof attached and herewith exhibited as follows:

LEGAL NOTICE.

Notice is hereby given that the following bill will be introduced for passage in the Legislature of Alabama at the adjourned term thereof beginning July 9th, 1907:

A BILL

To be entitled, "an act to authorize the county of Limestone to construct public roads and to provide the method and manner of their construction and building."

Section 1. Be it enacted by the legislature of Alabama, the county of Limestone, by and through a road commission consisting of 5 persons to be appointed by the court of county commissioners of said county of Limestone, is hereby authorized to build and construct a system of macadamized or gravelled public roads.

Section 2. That it shall be the duty of said road commission, immediately after its appointment, to proceed to build and construct public roads in said county, beginning at the corporate line of the town of Athens, in said county, and shall build and construct the following roads:

The road now called the Huntsville road;

The road now called the Decatur road;

The road now called the Lucas Ferry road;

The road now called the Browns Ferry road;

The road now called the Florence road;

The road now called the Buck Island road;

The road now called the Jones Ferry road;

The road now called the Prospect and Athens road;

The road now called the Lower Elkton road;

The road now called the Upper Elkton road;

The road now called the Fayetteville road;

The road now called the Nick Davis road;

The road now called the Athens and Mooresville road.

The said roads shall be built and located as herein described and the commissioners are hereby required to locate the road-beds on the most suitable ground and run the same in the most direct route that is practicable; and the said commissioners shall have the right to enter, locate, and build or cause to be built on or through the premises of any persons, after condemning the same for the use of the county, or paying therefor a reasonable compensation by agreement with the owners of such land, and when the commsisioners and the owners of

such lands cannot agree, then the same proceedings may be had as is now or hereafter provided by law. when the line of a public road is altered or changed, or lands condemned to public use.

Section 3. That said road commissioners shall have the right to take and use in the construction and building of said roads, or cause to be taken, such quantities of stone, gravel, or other material, adjacent or contiguous thereto, or elsewhere in said county, as may be necessary, paying such reasonable compensation for the same as may be just and proper, and when said commission and owners of said material cannot agree upon the amount of the compensation, the said commissioners are hereby authorized to take such proceedings as may be necessary, and as is now, or may hereafter be provided by law, for condemnation of said materials to public use.

Section 4. That said road commissioners shall have the right to fix the width, amount of gravel or stone or grade on any particular road; provided, said roads shall be laid out at least thirty feet wide, ten feet of which shall be bedded with stone or gravel, and the grade not more than one foot in ten; provided further, said commissioners may use their discretion as to grading of hills or roads up hills where such hills are particularly steep; provided further, that in the discretion of said road commissioners the above may be changed as in their judgment seem best.

Section 5. That said road commissioners so qualified shall proceed to their duties within 15 days after their selection as such. Said road commissioners shall if they deem it necessary, first proceed to have surveyed and laid off the roads mentioned herein, and for this purpose they may employ an engineer or surveyor and such other needful help as they may deem proper, to be paid for out of the fund now on hand, being the proceeds of the sale of bonds by the county of Limestone for the purpose of constructing public roads.

Section 6. That immediately after the completion of the location and surveying of said roads, or any one

of said roads within their discretion, the said road commissioners shall offer so much or all of said road to the lowest responsible bidder, or so many miles of said road, not less than one nor more than twenty miles, to be built by any one contractor, who shall be required to give a good and sufficient bond, payable to the county of Limestone, in the sum of the amount of such bid, for the faithful performance of his said contract; and said bonds may be made through any lawfully authorized guarantee or surety company doing business in this State, and all such bonds shall have the force and effect of official bonds in this State and the same shall be approved by the said road commissioners. The said commissioners are required to give notice, by posting notices in every precinct in said county, and by advertising in some newspaper for 30 days, that the contracts are to be made for having said roads built, requesting bids therefor and referring all bidders to the road commissioners for plans and specification for each mile thereof; if, after said time, any portion of said roads has not been bid for, the commissioners may proceed to build or have built, such portion, in such manner as, in their judgment, seems best and proper, and if any bidder whose offer to build any part of any road, is, in the judgment of said commissioners, unreasonable and too high, they may reject said bid, and proceed to build said roads as they may deem proper, by contract or otherwise, or by constructing the same according to their best judgment; provided, said road commissioners shall, at all events, construct, or cause to be constructed, said roads, and complete the same within two years from the date of their selection as such commissioners; and no commissioner selected under the provisions of this act shall become a contractor, or be interested in any wise, directly or indirectly, in a contract, to construct any part of said roads.

Section 7. That all contractors, within twenty days after acceptance of their respective contracts, shall proceed to the fulfillment thereof, and shall be required to perform the same to completion within ten months from the date of such contract: Provided, the said road com-

missioners may, in their discretion, extend the time of fulfillment two months to any and all contractors.

Section 8. That said commissioners selected under this act shall be entitled to compensation as follows: The president, who shall be named as such by the court of county commissioners of said county, shall receive \$3.00 per day for each day actually occupied in attending to his duties as such commissioner and president: the other four shall be entitled to \$2.50 per day each for the time actually engaged in their said work in whatsoever manner. The president shall be, and he hereby is made, the custodian of the proceeds of the sale of the \$135,000.00 of bonds issued by the county of Limestone; and he shall pay any and all contracts made by said board and for all money coming into his hands he shall receive as compensation for handling the same one-tenth of one per cent; and the said president shall be required to give a good and sufficient bond, which may be made by some responsible guarantee or surety company now authorized to do business in this State, in the sum of \$25,000.00, payable to the county of Limestone, and which said bond shall be conditioned, and shall have the same force and effect, as bonds of county treasurers are now and now have under the law with respect to money of counties coming into their possession; and the said president, together with the other members of said board of road commissioners, shall each execute a bond payable to the county of limestone in the sum of \$1,000.00 for the faithful performance of their duty as such road commissioners and said bonds shall have the force and effect of official bonds under the law and may be made by any responsible guarantee or surety company now authorized by law to do business in this State. The said bonds mentioned in this section shall be approved by the judge of probate of said county; provided further, the said commissioners shall receive their compensation out of the said sum realized by the sale of bonds of said county heretofore mentioned. And the president of said board of road commissioners shall keep a complete record of all money coming into his hands, and of all the amounts dis-

bursed by him, together with vouchers showing the amounts paid to each commissioner and the amount retained by himself and also all money otherwise disbursed by him, and he shall further show by this record all the business done as directed under the provisions of this act. The said record just mentioned shall be kept in the office of the judge of probate of said county, and shall be a public record.

Section 9. That the said road commissioners, including the president, shall be selected by the court of county commissioners within ten days after the passage of this act and their selection, together with the designation of such one as president, shall be recorded in the minutes of the said court of county commissioners; and each member of said road commission shall be a resident citizen of the county of Limestone. Vacancies occurring in said road commission shall be filled in the same manner as the original commissioners are selected. And it is hereby made the duty of the board of road commissioners for the county of Limestone to call a meeting of said board at least once in every three months, for the purpose of transacting such business as may come before said board which may be necessary to the faithful discharge of their duties in carrying out the intent of this act. And the president and members of said board shall make a full report to the court of county commissioners of said county once every quarter, and shall settle with said court of county commissioners once every six months until said board of road commissioners have completed the work for which said board was selected.

Section 10. It shall be the duty of said road commissioners to build and construct out of the funds above mentioned herein an equal number of miles, as near as may be, upon each of the lines of roads herein-above mentioned; provided that when a road mentioned herein branches off from another road that part of the road common to both shall be considered a part of each road; and provided that the Decatur road from corporate line of Athens to the McComb's cross road shall be considered part of the Athens and Mooresville road.

Section 11. That said road commissioners, if any of said funds are left, after having constructed on each of said roads herein-above mentioned at least ten miles of road, computed according to section 10 hereof shall apply the balance of the fund which may be left to the construction of roads in other portions of the county as in their judgment and discretion will best subserve the interests of the greatest number of people of said county.

Section 12. That said road commissioners shall not meet oftener than once a month; provided they may meet oftener upon a special call of the president of said road commissioner.

Section 13. The president of said road commission shall, if possible, deposit the funds coming into his hands in such bank as will pay interest on such funds; provided that said banks are safe and solvent.

Section 14. This act shall take effect upon its approval by the Governor.

R. H. Walker being duly sworn, deposes and says that he is the publisher of the Limestone Democrat, a newspaper published in Limestone county, Ala., and that the above bill was published in the Limestone Democrat, for four weeks beginning on the 7th day of June, and ending on the 28th day of June, 1907.

R. H. Walker.

Subscribed and sworn to before me on this the 6th day of July, 1907.

J. E. Clem,
Clerk of the Circuit Court of Limestone Co.

S. 407. To vacate the dedication of the following alleys and part of a street in the Elyton Land Company's survey in the city of Birmingham, Alabama: the alley bisecting block 94 and the alley bisecting block 95 and that part of Fifteenth street lying between the north line of First avenue and the south line of Second avenue; and to provide compensation for any property owner injured thereby.

And sends same forthwith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
 Jefferson County. }

James J Smith being duly sworn deposes and says, that he is president of the Ledger Publishing Company, the publisher of the Birmingham Ledger, and has personal knowledge of the facts herein deposed to; and that a notice in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that at the approaching sitting of the Legislature of Alabama, a bill will be introduced and its passage asked, the substance of which will be as follows:

A bill to be entitled an act to vacate the dedication of the following alleys and part of a street in the Elyton Land Company's survey in the city of Birmingham, Ala.: The alley bisecting block 94 and the alley bisecting block 95, and that part of Fifteenth street lying between the north line of First avenue and the south line of Second avenue; and to provide compensation for any property owner injured thereby.

Be it enacted by the Legislature of Alabama:

1. That there is hereby vacated, and the dedication annulled of, the following described alleys and part of a street in the Elyton Land Company's survey of the city of Birmingham, Ala., viz.: The alley bisecting block 94 and the alley bisecting block 95, and that part of Fifteenth street lying between the north line of First avenue and the south line of Second avenue; that from and after the passage of this act said alleys and said part of said street shall cease to be public thoroughfares.

2. Nothing contained in this act shall be held or construed as effecting or authorizing the taking, injury or destruction of property without compensation or without due process of law, but any property owner who may sustain any special injury by virtue of such vacation may recover all damages, which he may sustain, in

an appropriate action at law brought in any court of competent jurisdiction.

3. Be it further enacted, That all laws in conflict herewith be and the same are hereby repealed.

Was published in the issues of the Birmingham Ledger, which is a newspaper published in Birmingham, in Jefferson county, Alabama, which is the county where the matters and things to be affected by the bill above referred to are situated, in the issues thereof of June 8, 1907, June 15, 1907, June 22, 1907 and June 29, 1907; and that such publication was without cost to the State.

James J. Smith.

Subscribed and sworn to before me this the 6th day of July, 1907.

D. N. Smith,
Notary Public.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The bills, the titles to which are set out in the foregoing Senate message, were read one time and referred to appropriate standing committees as follows:

Revision of Laws, S. 445.

Appropriations, S. 439, S. 440.

Local Legislation, S. 385, S. 407.

Mr. Tunstall gave notice that on tomorrow he would move to take from the adverse calendar the resolution making H. 922 a special order.

BILLS ON THIRD READING.

H. 888. To provide for the establishment of a branch of the circuit court of Barbour county; to define its powers and jurisdiction, to regulate the trial of causes therein and the drawing and summoning of juries and witnesses therefor.

Was taken up. Mr. Lee, of Barbour, offered the following amendment:

"Amend by striking out section 9 of the bill. Amend section 8 by adding after the word 'Clayton,' the provisions of the bill shall go into effect immediately after its approval by the governor."

And the amendment was adopted.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Alford	Fuller	McDuffie
Altman	Goodwyn	McMillan
Armstrong	Gunter	Oliver
Arnold	Haley	Parker
Arrington	Henley	Pearson
Avery	John	Peete
Ballard (Autauga)	Jones	Pitts (Dallas)
Benners	King	Pitts (Perry)
Bloch	Kornegay	Powell (Bullock)
Brown	Lacy (Dallas)	Ragsdale
Bulger	Lacy (Walker)	Rainer
Carmichael (Clay)	Lawson	Ratray
Coleman (Lowndes)	Lee (Barbour)	Rushton
Coleman (Marshall)	Lee (Houston)	Sample
Cooper	Long (Morgan)	Sanford
Cranford	Lyons	Sherrod
Doyle (Clark)	Malone	Smith (Franklin)
Doyle (Marengo)	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	McCrory	

—59.

And the bill:

H. 888. To provide for the establishment of a branch of the circuit court of Barbour county; to define its powers and jurisdiction, to regulate the trial of causes therein and the drawing and summoning of juries and witnesses therefor.

As amended, was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Alford	Foster	McCrory
Altman	Fuller	McDuffie
Arnold	Glover	McMillan
Arrington	Goodwyn	Oliver
Avery	Gunter	Parker
Ballard (Pike)	Henley	Pearson
Barton	John	Peete
Benners	Jones	Pitts (Dallas)
Benson	Kirby	Pitts (Perry)
Brown	Kornegay	Rainer
Bulger	Lacy (Dallas)	Ratray
Burney	Lacy (Walker)	Rushton
Carmichael (Clay)	Lancaster	Sample
Coleman (Lowndes)	Lee (Barbour)	Sanford
Coleman (Marshall)	Lee (Etowah)	Sherrod
Cranford	Lovelady	Smith (Elmore)
Doyle (Clark)	Malone	Smith (Lee)
Doyle (Marengo)	Mitchell	Weaver
Elrod	Moore	White (Lamar)

—57.

On motion of Mr. Lee, of Barbour, the bill, H. 888, was ordered sent to the Senate without engrossment.

H. 935. To amend section 22 of an act entitled an act to establish the city court of Bessemer.

Was read a third time, at length, and passed.

Yeas, 62; nays, 1.

Yeas:

Messrs:—

Alford	Coleman (Marshall)	John
Altman	Cranford	Killen
Armstrong	Doyle (Clark)	King
Arnold	Doyle (Marengo)	Kirby
Arrington	Elrod	Kornegay
Avery	Fuller	Lacy (Dallas)
Benners	Glover	Lacy (Walker)
Bloch	Gunter	Lawson
Brown	Haley	Lee (Barbour)
Burney	Henley	Lee (Houston)
Carmichael (Clay)	Hoffman	Long (Butler)

Lovelady	Peete	Sanford
Malone	Pitts (Dallas)	Seale
Mitchell	Pitts (Perry)	Sherrod
Moore	Powell (Bullock)	Smith (Elmore)
McCrary	Ragsdale	Smith (Etowah)
McDuffie	Rainer	Smith (Lee)
McMillan	Rattray	Steagall
Oliver	Rushton	Turner
Parker	Sample	Weaver
Pearson	Sanders	

—62.

Nays:

Mr. Cannon

—1.

H. 979. To fix and provide for the salary of the judge of the Thirteenth judicial circuit of Alabama.

Was read a third time, at length, and passed.

Yeas, 60; nays, 1.

Yeas:

Messrs:—

Alford	Gunter	Oliver
Altman	Haley	Parker
Armstrong	Henley	Pearson
Arnold	Hoffman	Peete
Arrington	John	Pitts (Dallas)
Avery	Killen	Pitts (Perry)
Ballard (Autauga)	King	Ragsdale
Ballard (Pike)	Kirby	Rattray
Benners	Kornegay	Rowe
Bulger	Lacy (Dallas)	Sample
Burney	Lacy (Walker)	Sanders
Carmichael (Clay)	Lawson	Sanford
Coleman (Lowndes)	Lee (Barbour)	Seale
Cooper	Long (Butler)	Sherrod
Cranford	Levelady	Smith (Elmore)
Doyle (Clark)	Mitchell	Smith (Etowah)
Doyle (Marengo)	Moore	Smith (Franklin)
Elrod	McCrary	Smith (Lee)
Foster	McDuffie	Turner
Goodwyn	McMillan	Weaver

—60.

Nays:

Mr. Cannon

—1.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bills:

S. 484. To fix the time of holding the circuit courts in the counties of Walker and Wniston, composing the Fourteenth judicial circuit of the State of Alabama.

And sends same forthwith to the House without engrossment.

S. 482. To regulate the practice in the circuit court of Walker county, Alabama; to provide rules of practice for said court and to provide for drawing juries for said court.

And sends same forthwith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

There will be introduced at the adjourned session of the legislature of Alabama, which convenes July 9th, 1907, a bill substantially as follows:

A BILL

To be entitled an act to regulate the practice in the Circuit court of Walker county, Alabama, to provide rules of practice for said court; and to provide for drawing juries for said court.

Section 1. Be it enacted by the Legislature of Alabama, That in all civil cases commenced in said court by summons and complaint the defendant shall be required to appear and demur or plead to the complaint within thirty days after the service of the summons and complaint upon him, whether such service be in term time or vacation; and in all cases at law commenced by attachment, the defendant shall appear and demur or

plead within thirty days after the levy of attachment and service of notice thereof, or in case the suit is against a non-resident or other person upon whom service may be had by publication, within thirty days after service is perfected by such publication; and in all cases at law the defendant must appear or plead and demur within thirty days after perfection of such services upon him; and in all cases at law, whether commenced by summons and complaint, attachment or otherwise, the defendant failing, for more than thirty days after service has been perfected upon him, to appear and demur or plead shall be held to be in default, and at any time thereafter judgment by default, on motion of the plaintiff may be rendered against him; provided, however, that the court may, for good cause shown, allow such judgment so obtained by default, to be set aside, and demurrers or pleas to be filed on such terms as the court may think just; but no application to set aside such judgment unless it be for some reversible error committed in the rendition thereof, shall be entertained by the court unless accompanied by an affidavit by the defendant, or his agent or attorney, to the effect that in the belief of the affiant the defendant has a lawful defense to such suit.

Section 2. That all garnishments issued from said court shall require an answer thereto within thirty days after the service thereof; and upon a failure of any garnishee to make answer within thirty days he shall be deemed in default and a judgment nisi may be rendered against him upon motion of the plaintiff if the plaintiff is otherwise entitled to such judgment nisi, and unless otherwise ordered by the court, all citations, rules, writs of scire facias and notices issuing from said court shall require the party against whom they are issued to appear and plead within thirty days after the service thereof; if the citations or notices are to be given by publication, within thirty days after the perfection of service by publication; and all cases whether commenced by summons and complaint, attachment or otherwise shall be deemed and taken to be at issue and triable upon the appearance of the defendant and his pleading,

or if he does not appear within thirty days after the perfection of service upon him at the end of such thirty days.

Section 3. That all original and mesne process, notices, citations and writs of scire facias, shall be executed instanter, and, unless otherwise provided by law, shall be returnable immediately upon the execution thereof by the officer executing the same, and all executions, writs of scire facias, and writs of venditi ni exponas, issuing from said court shall be made returnable ninety days after the issue thereof.

Section 4. That all cases brought by appeal or certiorari from justices of the peace or inferior courts to said court, shall stand for trial when reached on the regular call of the docket at any time after thirty days notice of the taking of such appeal shall have been given to the adverse party, as required by law.

Section 5. That all bills of exception relating to the trial of causes, civil and criminal in said court, must be signed by the presiding judge of said court within 30 days after the day on which the issue or issues of fact to which said bill of exceptions relates was tried, unless the time for signing such bill of exceptions is extended by agreement of parties or by order of the presiding judge as now authorized by law, respecting the signing of bills of exceptions in the circuit court.

Section 6. That final judgments and decrees rendered in said court shall, after the expiration of thirty days from their rendition, be taken and deemed as completely beyond the control of the court, as if the term of said court at which said judgments and decrees are rendered, ended at the end of said thirty days; Provided, however, that nothing herein contained shall prevent parties from applying for a new trial or rehearing within said thirty days, destroy or change the effect of motions for new trials or rehearings when so made, or shall prevent parties from applying to said court for a rehearing under the statute authorizing application for rehearing in the circuit court, or shall prevent the court from retrying any cause under section 4341 of the Code of Alabama, or shall prevent the court from the exercise of any

power or jurisdiction conferred upon the circuit court touching final decrees and judgment.

Section 7. That all the witnesses in attendance upon said court must prove their attendance within five days after the termination of the trial of the cause in which they were subpoenaed or called to testify, and unless they prove their attendance within that time, their fee shall not be taxed as costs, nor shall they be recoverable against either party.

Section 8. That after ten days from the rendition of any judgment or decree unless otherwise directed in said judgment, the clerk or register of said court shall issue execution, returnable, as hereinbefore provided; Provided, however, that nothing herein contained shall prevent any person from having execution issued within ten days, upon making affidavit as now provided by law, in relation to the issue of execution upon judgments in the criminal court; and provided further, that nothing herein contained shall prevent the superseding of execution after the issue thereof upon filing affidavit as now required by law.

Section 9. On the next day after the adjournment of the last regular term of the court of county commissioners or session of the board of revenue held in each year, or as soon thereafter as practicable, the commissioners must proceed to draw from the jury box a grand jury for two regular terms of the circuit court to be held for the next ensuing year at such time as may be prescribed by the judge of said court not less than fifteen nor more than twenty-one persons for each grand jury, to be composed of persons duly qualified to serve as grand jurors; and next, the names of the requisite number of persons to serve as petit jurors for each term of circuit court, ~~allowing not more than thirty-six nor less than thirty~~ persons for each week of the terms prescribed by law, during which, in the opinion of the judge of the court, a jury shall be required; and the juries for each week shall be drawn separately and successively, and every piece of paper on which is written the name of the person so drawn must be destroyed. The judge, in writing, shall prescribe the number of week's for which petit jurors shall be drawn.

Section 10. That whenever for any cause, a jury, grand or petit, shall be quashed by the court, shall fail to have been drawn or summoned, or if drawn and summoned shall fail to attend, or if, for any other cause, there should be no grand or petit jury in attendance on said court, the court may forthwith order the sheriff to summon from the qualified citizens of Walker county a jury or juries to serve for the time specified or ordered by the court; and such jury so summoned shall be competent and valid to try all causes pending in said court and perform all other duties as if such jury were regularly drawn and summoned for said court.

Section 11. The court may, by rules, prescribe the time in which the pleadings in causes may be settled.

Section 12. The judge of said court shall have power to make and adopt such rules of practice as may, in his judgment, be required by a proper system of practice for said court; to amend same as may appear expedient; and said rules shall be entered upon record or the minutes of the court.

Section 13. That all laws and parts of laws in conflict with this act be, and the same are hereby repealed. Approved October 1, 1903.

The State of Alabama, }
Walker County. }

Before me, R. T. Knight, a justice of the peace in and for said county, this day personally came James R. Gunter, editor of the Mountain Eagle, and known to me to be such editor of said newspaper, which newspaper is published in the town of Jasper in the county of Walker in the State of Alabama, who, being by me first duly sworn, deposes and says, that the attached notice and bill entitled an act to regulate the practice in the Circuit court of Walker county, Alabama, to provide rules of practice for said court, and to provide for drawing juries for said court, was published once a week for four consecutive weeks in said newspaper, called the Mountain Eagle, in Walker county, before the making of this affidavit.

James R. Gunter,
Editor Mountain Eagle.

Sworn to and subscribed before me, this 6th day of July, 1907.

R. T. Knight,
Justice of the Peace.

SENATE MESSAGE.

The bills, the titles to which are set out in the above and foregoing Senate message, were read one time and referred to appropriate standing committees as follows:
Local Legislation, S. 482, S. 484.

H. 1049. To provide for the holding of two terms each year of the circuit court of the Ninth judicial circuit at Albertville, in Marshall county, and to regulate the same.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Members:—

Speaker	Glover	Parker
Altman	Goodwyn	Pearson
Armstrong	Haley	Peete
Arnold	Henley	Pitts (Dallas)
Arrington	Killen	Ragsdale
Ballard (Autauga)	King	Rainer
Ballard (Pike)	Kirby	Rattray
Benners	Kornegay	Rowe
Bloch	Lacy (Dallas)	Rushton
Burney	Lacy (Walker)	Sample
Carmichael (Clay)	Lawson	Sanders
Coleman (Lowndes)	Lee (Barbour)	Sherrod
Coleman (Marshall)	Lyons	Smith (Elmore)
Cranford	Mitchell	Smith (Franklin)
Crum	Moore	Smith (Lee)
Doyle (Clark)	McCrory	Steagall
Doyle (Marengo)	McDuffie	Tunstall
Edwards	McMillan	Turner
Elrod	Oliver	Weaver
Fuller		

H. 920. To amend section nine of an act entitled an act to authorize all incorporated towns and cities in Elmore county to establish and operate dispensary or dispensaries in such incorporated towns or cities, for the purpose of buying and selling spirituous, vinous or malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the selling of such liquors in such county, approved February 9, 1907.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Altman	Fuller	Moore
Armstrong	Glover	McCrary
Arnold	Goodwyn	McDuffie
Arrington	Haley	McMillan
Ballard (Autauga)	Henley	Oliver
Ballard (Pike)	John	Parker
Baltzell	Killen	Pearson
Benners	King	Peete
Bloch	Kirby	Pitts (Dallas)
Bulger	Kornegay	Pitts (Perry)
• Carmichael (Clay)	Lacy (Dallas)	Ragsdale
Coleman (Lowndes)	Lacy (Walker)	Rainer
Coleman (Marshall)	Lancaster	Rattray
Cranford	Lawson	Rowe
Crum	Lee (Barbour)	Rushton
Doyle (Clark)	Lee (Houston)	Sample
Doyle (Marengo)	Long (Butler)	Sanders
Edwards	Lyons	Sanford
Elrod	Mitchell	Smith (Elmore)
Foster		

—58.

On motion of Mr. Mitchell, the bill S. 124, was taken from the adverse calendar and recommitted to the standing committee on claims and fees.

BILLS ON THIRD READING.

H. 892. To further regulate the working of the public roads of Bibb county.

Was taken up. Mr. Fuller offered the following amendment to the bill:

Amend H. No. 892, by striking out all of that part of section 9 of said bill from and including the word "fixed" where it appears in line 2 of said section, to and including the word "supervision," where it appears in line 6 of said section, and insert in lieu therefor the words "seventy-five dollars per month for the time actually engaged in the discharge of the duties as such supervisors."

And the amendment was adopted.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	McCrory
Altman	Goodwyn	McDuffie
Armstrong	Gunter	McMillan
Arnold	Haley	Oliver
Barton	Jenkins	Parker
Benners	John	Pearson
Benson	Killen	Peete
Bloch	King	Pitts (Dallas)
Bulger	Kirby	Pitts (Perry)
Burney	Kornegay	Ragsdale
Carmichael (Clay)	Lacy (Dallas)	Rainer
Coleman (Marshall)	Lacy (Walker)	Ratray
Cooper	Lancaster	Rice
Cranford	Lawson	Sanders
Doyle (Clark)	Lee (Barbour)	Sherrod
Doyle (Marengo)	Long (Butler)	Smith (Elmore)
Dudley	Lovelady	Steagail
Elrod	Middleton	Weaver
Fuller	Mitchell	

—57.

And the bill,

H. 892. To further regulate the working of public roads of Bibb county.

As amended was read a third time, at length and passed.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Altman	Gunter	Oliver
Armstrong	Haley	Parker
Arnold	Jenkins	Pearson
Barton	John	Peete
Benners	Killen	Pitts (Dallas)
Benson	King	Pitts (Perry)
Bloch	Kirby	Powell (Bullock)
Bulger	Kornegay	Ragsdale
Burney	Lacy (Dallas)	Rainer
Carmichael (Clay)	Lacy (Walker)	Rattray
Coleman (Marshall)	Lancaster	Rushton
Cooper	Lawson	Sample
Cranford	Lee (Barbour)	Sanders
Crum	Long (Butler)	Sanford
Doyle (Clark)	Lovelady	Sherrod
Doyle (Marengo)	Mitchell	Smith (Elmore)
Dudley	Moore	Smith (Franklin)
Fuller	McCrary	Steagall
Glover	McDuffie	Turner
Goodwyn	McMillan	

—60.

H. 1053. To alter and re-arrange the boundaries of the town of Pollard, extending the corporate limits of said town.

Was read a third time, at length and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Benners	Coleman (Marshall)
Altman	Benson	Cranford
Armstrong	Bloch	Crum
Arnold	Brown	Doyle (Clark)
Arrington	Burney	Edwards
Ballard (Autauga)	Carmichael (Clay)	Elrod
Ballard (Pike)	Coleman (Lowndes)	Foster

Fuller	Lacy (Dallas)	McMillan
Glover	Lacy (Walker)	Parker
Goodwyn	Lee (Barbour)	Pearson
Haley	Lee (Etowah)	Peete
Henley	Lindsey	Pitts (Dallas)
Hughston	Long (Morgan)	Pitts (Perry)
John	Malone	Rowe
Killen	Mitchell	Sample
King	Moore	Sanford
Kirby	McCrory	Sherrod
Kornegay	McDuffie	Weaver

—55.

H. 1044. To alter or change the boundary line between the counties of Etowah and Calhoun in the State of Alabama, and as altered to establish the same.

Was read a third time, at length and passed.

Yeas, 75; nays, 0.

Yeas:

Messrs:—

Alford	Doyle (Clark)	Lawson
Altman	Doyle (Marengo)	Long (Butler)
Armstrong	Dudley	Lovelady
Arnold	Edwards	Lyons
Arrington	Elrod	Middleton
Avery	Foster	Mitchell
Ballard (Pike)	Fuller	Moore
Barton	Glover	McCrory
Benners	Goodwyn	McDuffie
Benson	Gunter	McMillan
Bloch	Haley	Oliver
Brown	Henley	Parker
Bulger	Jenkins	Pearson
Burney	John	Peete
Cannon	Killen	Pitts (Dallas)
Carmichael (Clay)	King	Pitts (Perry)
Coleman (Lowndes)	Kirby	Powell (Bullock)
Coleman (Marshall)	Kornegay	Ragsdale
Cranford	Lacy (Dallas)	Rainer
Crum	Lacy (Walker)	Rattray
	Lancaster	Rowe

Rushton	Seale	Smith (Franklin)
Sample	Sherrod	Smith (Lee)
Sanders	Smith (Elmore)	Steagall
Sanford	Smith (Etowah)	Weaver

—75.

S. 72. To appropriate all moneys received by the city of Attalla, in this State, as saloon license, to school purposes and to the payment of the interest on the bonded debt of said city.

Was read a third time, at length and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	John	Powell (Bullock)
Altman	Killen	Ragsdale
Armstrong	King	Ralner
Arnold	Kornegay	Rattray
Ballard (Autauga)	Lacy (Walker)	Rowe
Benners	Lawson	Rushton
Benson	Lee (Barbour)	Sample
Bulger	Lee (Houston)	Sanders
Coleman (Lowndes)	Long (Butler)	Seale
Cooper	Malone	Sherrod
Crum	Mastin	Smith (Elmore)
Doyle (Clark)	Mitchell	Smith (Franklin)
Doyle (Marengo)	Moore	Smith (Lee)
Edwards	McDuffie	Tunstall
Foster	Oliver	Turner
Goodwyn	Parker	Vann
Haley	Pearson	Weaver
Henley	Pitts (Dallas)	White (Lamar)
Jenkins		

—55.

H. 820. To allow the boards of revenue, or courts of county commissioners, of the various counties of Alabama, to purchase and direct the keeping of blood-hounds for their counties.

Was taken up. The question was upon the adoption of the substitute reported by the standing committee on County and County Boundaries, which is as follows:

Substitute for H. B. 820:

A BILL

To be entitled an act, to allow the boards of revenue, or courts of county commissioners, of the various counties of Alabama, to purchase and direct the keeping of blood-hounds for their counties.

Sec. 1. Be it enacted by the Legislature of Alabama, That the boards of revenue, courts of county commissioners, or other like bodies, are authorized, and may in their discretion, purchase and keep on hand as many as two blood-hounds for their respective counties; and are authorized to pay out of any money in the county treasury not otherwise appropriated the necessary expense for feeding and training said hounds and when said hounds have been purchased, they shall be kept under the control of the sheriff of the county for the purpose of aiding in the arrest of persons violating the laws and must be trained and exercised by him or under his direction at least once a week.

And the substitute was adopted.

Yeas, 49; nays, 5.

Yeas:

Messrs:—

Speaker	Edwards	McMillan
Altman	Elrod	Oliver
Arnold	Glover	Pearson
Ballard (Autauga)	Henley	Peete
Ballard (Pike)	Hoffman	Sample
Bloch	Jenkins	Sanders
Brown	John	Sanford
Bulger	Lancaster	Seale
Burney	Lawson	Smith (Elmore)
Cannon	Lee (Houston)	Smith (Franklin)
Carmichael (Clay)	Lyons	Smith (Lee)
Coleman (Lowndes)	Malone	Thompson
Cooper	Mastin	Turner
Cranford	Mitchell	Vann
Crum	Moore	Weaver
Doyle (Marengo)	McCrory	White (Lamar)

Nays:

Messrs:—

Benson

Foster

Parker

Ragsdale

Rainer

—5.

And the bill:

H. 820. To allow the boards of revenue, or courts of county commissioners, of the various counties of Alabama, to purchase and direct the keeping of blood-hounds for their counties.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 50; nays, 6.

Yeas:

Messrs:—

Speaker

Altman

Arnold

Avery

Ballard (Autauga)

Ballard (Pike)

Benners

Bloch

Brown

Bulger

Burney

Cannon

Carmichael (Clay)

Cooper

Cranford

Doyle (Marengo)

Edwards

Elrod

Fuller

Glover

Henley

Hoffman

Jenkins

John

Johnson

Lancaster

Lindsey

Malone

Mastin

Mitchell

McDuffie

McMillan

Oliver

Pearson

Peete

Pitts (Dallas)

Pitts (Perry)

Powell (Bullock)

Powell (Covington)

Rainer

Rushton

Sanders

Seale

Smith (Franklin)

Smith (Lee)

Steagall

Turner

Weaver

White (Lamar)

White (Perry)

—50.

Nays:

Benners

Killen

Parker

Ragsdale

Sample

Sherrod

—6.

H. 876. To divide St. Clair county into two chancery districts, to provide for holding court therein, to au-

thorize the appointment of a register for each of said districts and to prescribe his duties.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Doyle (Clark)	Lovelady
Altman	Doyle (Marengo)	Malone
Armstrong	Edwards	Mastin
Arnold	Elrod	Mitchell
Arrington	Foster	Moore
Avery	Glover	McCrary
Ballard (Autauga)	Goodwyn	McDuffie
Ballard (Pike)	Haley	Parker
Barton	Henley	Peete
Benners	Hoffman	Pitts (Perry)
Benson	John	Powell (Bullock)
Bloch	Killen	Rainer
Brown	Kirby	Rattray
Bulger	Kornegay	Rowe
Burney	Lacy (Walker)	Sanders
Carmichael (Clay)	Lancaster	Sherrod
Coleman (Lowndes)	Lee (Barbour)	Smith (Franklin)
Cooper	Lee (Houston)	Turner
Cranford	Lindsey	Weaver
Crum		

—58.

H. 963. To authorize the Lee county court of law and equity to revive and enforce judgments, decrees, orders and proceedings entered prior to July 1st, 1907, in the circuit, chancery and county courts of Lee county.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Ballard (Autauga)	Burney
Altman	Barton	Carmichael (Clay)
Armstrong	Benners	Coleman (Lowndes)
Arrington	Brown	Cooper

Doyle (Clark)	Lancaster	Price
Doyle (Marengo)	Lee (Houston)	Pugh
Elrod	Lindsey	Ragsdale
Fuller	Lovelady	Rainer
Glover	Malone	Rattray
Haley	Maner	Rushton
Henley	Mastin	Sanders
Hoffman	Moore	Sherrod
John	McCrory	Smith (Lee)
Killen	McMillan	Tunstall
King	Oliver	Weaver
Kirby	Parker	White (Lamar)
Kornegay	Pearson	White (Perry)
Lacy (Dallas)	Pratt	Woolf

—54.

H. 1079. To impose a tax of one dollar a year on each dog in the county of Montgomery, State of Alabama, over four months of age, and to provide for the collection of such tax and to provide that all live stock killed or injured and all damages done thereto shall be paid for out of the dog tax fund, and to provide that the surplus left in the dog tax fund on the first day of March of each year shall be paid into the public school fund of said county.

Was read a third time, at length, and passed.

Yeas, 49; nays, 7.

Yeas:

Messrs:—

Altman	Cooper	Johnson
Armstrong	Cranford	Killen
Avery	Doyle (Marengo)	King
Ballard (Autauga)	Edwards	Lee (Houston)
Benners	Elrod	Lindsey
Benson	Foster	Mastin
Brown	Fuller	Mitchell
Bulger	Glover	Moore
Burney	Henley	McCrory
Cannon	Hoffman	McMillan
Carmichael (Clay)	Jenkins	Oliver
Coleman (Lowndes)	John	Parker

Pitts (Perry)	Sanford	Smith (Lee)
Powell (Bullock)	Seale	Turner
Powell (Covington)	Smith (Elmore)	White (Lamar)
Rainer	Smith (Franklin)	White (Perry)
Sanders		

—49.

Nays:

Messrs:—

Speaker	Pitts (Dallas)	Sherrod
Arnold	Sample	Tunstall
Coleman (Marshall)		

—7.

H. 924. To divide the county of Hale into four commissioners' districts and to provide for the election of a commissioner for each district.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Elrod	McDuffie
Altman	Fuller	McMillan
Armstrong	Goodwyn	Oliver
Arnold	Haley	Parker
Avery	Henley	Pearson
Ballard (Autauga)	Hoffman	Pitts (Dallas)
Barton	John	Pitts (Perry)
Benners	Killen	Powell (Bullock)
Benson	Kirby	Rainer
Bloch	Kornegay	Rushton
Brown	Lacy (Dallas)	Sample
Bulger	Lacy (Walker)	Sanders
Burney	Lancaster	Seale
Carmichael (Clay)	Lee (Barbour)	Sherrod
Coleman (Lowndes)	Lee (Houston)	Smith (Franklin)
Coleman (Marshall)	Lovelady	Smith (Lee)
Cooper	Mastin	Tunstall
Doyle (Clark)	Mitchell	Weaver
Doyle (Marengo)	McCrory	White (Lamar)
Edwards		

—58.

H. 925. To provide for the working of the public roads of Hale county, Alabama, for levying tax for same and how same shall be expended.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	McMillan
Altman	Henley	Oliver
Arnold	Hoffman	Parker
Avery	John	Peete
Ballard (Autauga)	Killen	Pitts (Dallas)
Benners	King	Pitts (Perry)
Benson	Kirby	Powell (Bullock)
Brown	Kornegay	Ragsdale
Bulger	Lacy (Walker)	Rainer
Burney	Lancaster	Ratray
Carmichael (Clay)	Lawson	Rushton
Coleman (Lowndes)	Lee (Barbour)	Sanford
Crum	Lovelady	Seale
Doyle (Clark)	Malone	Sherrod
Doyle (Marengo)	Mastin	Smith (Elmore)
Edwards	Mitchell	Smith (Lee)
Elrod	Moore	Thompson
Foster	McCrory	Weaver
Glover	McDuffie	

—56.

H. 1051. To provide for the payment by the county of Escambia of all accounts for postage used by certain officers of said county.

Was read a third time, at length, and passed.

Yeas, 56; nays, 1.

Yeas:

Messrs:—

Speaker	Benson	Cranford
Altman	Brown	Doyle (Marengo)
Arnold	Bulger	Edwards
Ballard (Autauga)	Carmichael (Clay)	Elrod
Barton	Coleman (Lowndes)	Foster
Benners	Coleman (Marshall)	Glover

Goodwyn	Lovelady	Rattray
Henley	Mastin	Rushton
John	Mitchell	Sample
Killen	Moore	Sanford
King	McCrory	Sherrod
Kirby	McDuffie	Smith (Elmore)
Kornegay	McMillan	Smith (Franklin)
Lacy (Dallas)	Oliver	Smith (Lee)
Lacy (Walker)	Parker	Tunstall
Lancaster	Peete	Turner
Lee (Barbour)	Pitts (Dallas)	Weaver
Lee (Houston)	Pitts (Perry)	White (Lamar)
Lindsey	Rainer	

—56.

Nays:

Mr. White (Perry)

—1.

H. 980. To fix and provide for the salary of the chancellor of the southwestern chancery division of the State of Alabama.

Was read a third time, at length, and passed.

Yeas, 53; nays, 3.

Yeas:

Messrs:—

Speaker	Elrod	Moore
Altman	Foster	McCrory
Armstrong	Fuller	McMillan
Arnold	Glover	Oliver
Ballard (Autauga)	Haley	Pearson
Barton	Henley	Peete
Benners	Hoffman	Pitts (Dallas)
Bloch	John	Pitts (Perry)
Brown	King	Powell (Bullock)
Burney	Kirby	Ragsdale
Carmichael (Clay)	Kornegay	Rainer
Colman (Lowndes)	Lacy (Dallas)	Rushton
Cooper	Lancaster	Sample
Cranford	Lee (Barbour)	Sanders
Crum	Lovelady	Sanford
Doyle (Clark)	Malone	Smith (Elmore)
Doyle (Marengo)	Mastin	Smith (Lee)
Edwards	Mitchell	

—53.

Nays:

Messrs:—

Cannon

Killen

Sherrod

—3.

H. 927. To further provide for the further construction, maintenance and repair of public roads in Jackson county.

Was taken up. Mr. Benson offered the following amendment to the bill:

To amend section 3 by striking out the words "and to maintain the same for not less than 5 years."

And the amendment was adopted.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	McCrory
Altman	Fuller	McDuffie
Armstrong	Glover	McMillan
Arnold	Haley	Oliver
Avery	Henley	Parker
Ballard (Autauga)	Hoffman	Pearson
Benners	John	Pitts (Dallas)
Benson	Jones	Pitts (Perry)
Bloch	Killen	Rowe
Brown	Kirby	Rushton
Burney	Lacy (Dallas)	Sample
Carmichael (Clay)	Lacy (Walker)	Sanders
Coleman (Lowndes)	Lawson	Seale
Coleman (Marshall)	Lee (Houston)	Sherrod
Cranford	Lovelady	Smith (Lee)
Doyle (Clark)	Malone	Weaver
Doyle (Marengo)	Mastin	White (Lamar)
Edwards	Mitchell	
Elrod	Moore	

—55.

And the bill:

H. 927. To further provide for the further construction, maintenance and repair of public roads in Jackson county.

As amended, was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	McCrory
Altman	Fuller	McMillan
Arnold	Glover	Oliver
Avery	Haley	Parker
Ballard (Autauga)	Henley	Pearson
Barton	Hoffman	Peete
Benners	John	Pitts (Dallas)
Brown	Killen	Pitts (Perry)
Bulger	Kirby	Fowell (Bullock)
Burney	Kornegay	Rushton
Cannon	Lacy (Dallas)	Sample
Carmichael (Clay)	Lacy (Walker)	Sanders
Coleman (Lowndes)	Lancaster	Sanford
Cooper	Lawson	Seale
Cranford	Lee (Barbour)	Sherrod
Doyle (Clark)	Lovelady	Smith (Franklin)
Doyle (Marengo)	Malone	Smith (Lee)
Edwards	Mastin	Turner
Elrod	Mitchell	Weaver

—57.

H. 860. To authorize the board of mayor and aldermen of the city of Bridgeport in Jackson county, Alabama, to permit school children living without the limits of said city, to attend the public schools within said city upon such terms as said board may prescribe.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Dudley
Altman	Bulger	Edwards
Armstrong	Cannon	Elrod
Arrington	Carmichael (Clay)	Foster
Ballard (Autauga)	Coleman (Lowndes)	Fuller
Barton	Cooper	Haley
Benners	Cranford	Henley
Bloch	Doyle (Clark)	Hoffman

Jenkins	Malone	Powell (Bullock)
John	Mastin	Sample
Killen	Mitchell	Sanders
Kirby	Moore	Sanford
Kornegay	McDuffie	Sherrod
Lacy (Dallas)	McMillan	Smith (Franklin)
Lacy (Walker)	Oliver	Smith (Lee)
Lancaster	Parker	Tunstall
Lee (Barbour)	Pearson	Turner
Lee (Houston)	Peete	
Lovelady	Pitts (Perry)	

—55.

Mr. Pitts, of Dallas, moved that when the House adjourn on tonight, it adjourn to meet at 9 o'clock tomorrow morning.

APPOINTMENT OF COMMITTEE.

In pursuant to H. J. R. 224, heretofore adopted, the Speaker announced the following committee under said resolution:

Messrs.: King, Arnold and Gunter.

ADJOURNMENT.

The hour of 6 o'clock having arrived, under the rules the House adjourned until 8 o'clock tonight.

NIGHT SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll, the following members were present:

Yeas:

Messrs:—

Speaker	Ballard (Autauga)	Burney
Altman	Benners	Cannon
Arnold	Bloch	Carmichael (Clay)
Avery	Brown	Cooper

Cranford	Lawson	Pratt
Crum	Lee (Barbour)	Ragsdale
Doyle (Marengo)	Lee (Etowah)	Rainer
Elrod	Lee (Houston)	Rushton
Foster	Lindsey	Sample
Fuller	Lovelady	Sanders
Glover	Lyons	Sanford
Gunter	Malone	Seale
Haley	Mitchell	Sherrod
Henley	Moore	Smith (Elmore)
Hoffman	McCrory	Smith (Franklin)
Hughston	McDuffie	Smith (Lee)
John	McMillan	Tunstall
Johnson	Parker	Turner
Jones	Pearson	Weaver
Killen	Peete	White (Lamar)
King	Pitts (Dallas)	White (Perry)
Lacy (Dallas)	Pitts (Perry)	Williams
Lacy (Walker)	Powell (Bullock)	

—68.

A quorum was present.

RESOLUTION.

The following resolution was introduced and referred to the committee on Rules:

By Mr. Williams:

H. R. 270. Be it resolved by the House of Representatives, that the Senate be and it is hereby requested to return to the House for further consideration the bill H. 888, To provide for the establishment of a branch of the circuit court of Barbour county; to define its powers and jurisdiction; to regulate the trial of causes therein and the drawing and summoning of juries therefor.

BILLS ON THIRD READING.

H. 933. To vacate and annul as public streets or highways that portion of First street in the town of North Birmingham, Alabama, beginning fifty feet south of Seventh alley, and running thence south to the South-

ern Railway right-of-way, and that portion of Second street in the town of North Birmingham, Alabama, running from the south line of Seventh alley, south to the north line of Eighth alley, both according to the map of the North Birmingham Land Company; and to annul and extinguish the dedication thereof.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Altman	Haley	Powell (Bullock)
Armstrong	Henley	Pratt
Arnold	John	Ragsdale
Ballard (Autauga)	Jones	Rainer
Benness	Killen	Rushton
Bloch	Lawson	Sample
Brown	Lee (Barbour)	Sanders
Bulger	Lovelady	Sanford
Burney	Lyons	Sherrod
Cannon	Mitchell	Smith (Elmore)
Cooper	Moore	Smith (Franklin)
Cranford	McCrary	Smith (Lee)
Crum	McMillan	Tunstall
Doyle (Clark)	Oliver	Weaver
Doyle (Marengo)	Parker	White (Perry)
Elrod	Pearson	Williams
Fuller	Peete	Woolf
Glover	Pitts (Perry)	

—54.

H. 1068. To create and establish the office of jury commissioner for Jefferson county, Alabama, to provide for his appointment and removal and to prescribe his qualifications, term of office; to define his powers and authority; to fix his salary and to provide for its payment; and to provide for the clerks and assistants for said commissioner and to fix their salary.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Pitts (Perry)
Altman	Haley	Powell (Bullock)
Armstrong	Henley	Pratt
Arnold	John	Ragsdale
Ballard (Autauga)	Killen	Rainer
Benners	Lawson	Rushton
Bloch	Lee (Barbour)	Sample
Brown	Long (Butler)	Sanders
Bulger	Lovelady	Sanford
Burney	Lyons	Sherrod
Cannon	Mitchell	Smith (Elmore)
Cooper	Moore	Smith (Lee)
Cranford	McCrory	Tunstall
Crum	McMillan	Weaver
Doyle (Clark)	Oliver	White (Lamar)
Doyle (Marengo)	Parker	White (Perry)
Elrod	Pearson	Williams
Fuller	Peete	Woolf

—54.

H. 951. To vacate and annul Fifth street between Second and Third avenues; Sixth street between Second and Third avenues; Third avenue between Fourth and Sixth streets; the alley extending north and south in block eleven, and the alley running east and west in block eleven, in the Pratt Land and Improvement Company's survey of East Thomas, Jefferson county, Alabama.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Doyle (Clark)
Altman	Bulger	Doyle (Marengo)
Armstrong	Burney	Elrod
Arnold	Cannon	Fuller
Ballard (Autauga)	Cooper	Glover
Benners	Cranford	Haley
Bloch	Crum	Henley

John	Parker	Sanford
Killen	Pearson	Sherrod
Lawson	Peete	Smith (Elmore)
Lee (Barbour)	Pitts (Perry)	Smith (Franklin)
Lovelady	Powell (Bullock)	Smith (Lee)
Lyons	Pratt	Tunstall
Mitchell	Ragsdale	Weaver
Moore	Rainer	White (Lamar)
McCrory	Rushton	White (Perry)
McMillan	Sample	Williams
Oliver	Sanders	Woolf

—54.

H. 950. To vacate and annul Stollenwork avenue as shown on map of Village Creek Land Company's survey, in Jefferson county, Alabama, as a public street or highway, and to annul and extinguish the dedication thereof.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

—54

H. 890. To further prescribe the official duties of the deputy solicitor of Bibb county, Alabama.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Judiciary, said amendment being as follows:

Amend by adding in the second line of section one after the word "deputy" the words "solicitor or county." Further amend by adding after the word "solicitor" in the first line of section two the words "or county solicitor, including the signing of indictments."

And the amendment was adopted.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Renners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrary	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Wolf

—54.

And the bill:

H. 890. To further prescribe the official duties of the deputy solicitor of Bibb county, Alabama.

As amended, was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:**Messrs:—**

Speaker	Fuller	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Avery	Killen	Rushton
Ballard (Autauga)	Lawson	Sample
Benners	Lee (Barbour)	Sanders
Bloch	Lovelady	Sanford
Brown	Lyons	Sherrod
Bulger	Mitchell	Smith (Elmore)
Burney	Moore	Smith (Franklin)
Cannon	McCrory	Smith (Lee)
Cooper	McMillan	Tunstall
Cranford	Oliver	Weaver
Crum	Parker	White (Lamar)
Doyle (Clark)	Pearson	White (Perry)
Doyle (Marengo)	Peete	Williams
Elrod	Pitts (Perry)	Woolf

—54.

H. 959. To prevent the shipment, transportation or delivery of spirituous, vinous or malt liquors or intoxicating bitters or beverages from any point in the State of Alabama, to any person, firm or corporation in Lawrence county, Alabama.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:**Messrs:—**

Speaker	Cannon	Henley
Altman	Cooper	John
Armstrong	Cranford	Killen
Arnold	Crum	Lawson
Ballard (Autauga)	Doyle (Clark)	Lee (Barbour)
Benners	Doyle (Marengo)	Lovelady
Bloch	Elrod	Lyons
Brown	Fuller	Mitchell
Bulger	Glover	Moore
Burney	Haley	McCrory

McMillan	Ragsdale	Smith (Franklin)
Oliver	Rainer	Smith (Lee)
Parker	Rushton	Tunstall
Pearson	Sample	Weaver
Peete	Sanders	White (Lamar)
Pitts (Perry)	Sanford	White (Perry)
Powell (Bullock)	Sherrod	Williams
Pratt	Smith (Elmore)	Woolf

—54.

H. 973. To amend section two (2) of an act entitled "An act to amend an act entitled an act to create the office of revenue constable for Mobile county, and to prescribe his duties, approved Feb. 24th, 1887."

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrary	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

—54.

H. 1016. To repeal an act entitled, "An act to establish, maintain and regulate a dispensary in the town of Ragland, in St. Clair county, Alabama, for the sale of

spirituous, and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors, and to create a board of directors for the purpose of better controlling and managing the sale of spirituous and vinous liquors, wines, ciders, and other intoxicating liquors, and for other purposes."

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benmers	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

—54.

H. 1017. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads, and the necessary bridges, culverts and drainways therefor, and to issue bonds of said county to aid in the construction and building thereof.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas :**Messrs :—**

Speaker	Lover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrary	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

—54.

H. 1030. To amend sections two, twenty-seven and thirty-three of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900, and to amend section one of an act approved February the 15th, 1901, entitled an act to amend sections eight, nine and twenty-six of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900.

Was taken up. The question was upon the adoption of the amendment offered by the standing committee on Judiciary, said amendment being as follows:

Amend by striking out the words in section 2, line 4, "Same amount per annum, as the other circuit judges of the State of Alabama," and inserting in lieu thereof the words "sum of twenty-seven hundred dollars per annum." Further amend by striking out in section 3, line

10 and 11, the words "and upon the allowance of such amendment, the other party shall, as a matter of right, be entitled to a continuance."

And the amendment was adopted.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrary	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Lamar)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

--54.

And the bill:

H. 1030. To amend sections two, twenty-seven and thirty-three of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900, and to amend section one of an act to amend sections eight, nine and twenty-six of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900.

As amended, was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf
Glover	Powell (Bullock)	

—54.

H. 971. To provide for the compensation of the solicitor for Mobile county, to be elected in 1910, and his successors in office.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Cranford	Lawson
Altman	Crum	Lee (Barbour)
Armstrong	Doyle (Clark)	Lovelady
Arnold	Doyle (Marengo)	Lyons
Ballard (Autauga)	Elrod	Mitchell
Benners	Foster	Moore
Bloch	Fuller	McCrory
Brown	Glover	McMillan
Bulger	Haley	Oliver
Burney	Henley	Parker
Cannon	John	Pearson
Cooper	Killen	Peete

Fitts (Perry)	Sanders	Tunstall
Powell (Bullock)	Sanford	Weaver
Pratt	Sherrod	White (Lamar)
Ragsdale	Smith (Elmore)	White (Perry)
Rainer	Smith (Franklin)	Williams
Rushton	Smith (Lee)	Woolf
Sample		

—54.

H. 990. To require the tax assessor and tax collector of Morgan county, Alabama, to make their rounds as required by law together and providing notice of said round.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Edwards	Peete	Williams
Elrod	Pitts (Perry)	Woolf
Fuller		

—54.

H. 993. To amend an act entitled an act to fix and regulate the ex-officio fees of the clerk of the circuit court of Limestone and Morgan counties.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitcheli	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

—54.

H. 1038. To authorize the court of county commissioners of Wilcox county to purchase or acquire three or more ferries along the Alabama river in said county. To operate and maintain same for the public use.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Cooper	John
Altman	Cranford	Killen
Armstrong	Crum	Lawson
Arnold	Doyle (Clark)	Lee (Barbour)
Ballard (Autauga)	Doyle (Marengo)	Lovelady
Benners	Elrod	Lyons
Bloch	Foster	Mitchell
Brown	Fuller	Moore
Bulger	Glover	McCrory
Burney	Haley	McMillan
Cannon	Henley	Oliver

Parker	Rushton	Smith (Lee)
Pearson	Sample	Tunstall
Peete	Sanders	Weaver
Pitts (Perry)	Sanford	White (Lamar)
Powell (Bullock)	Sherrod	White (Perry)
Pratt	Smith (Elmore)	Williams
Ragsdale	Smith (Franklin)	Woolf
Rainer		

—54.

H. 1039. To authorize the court of county commissioners of Wilcox county to borrow money, not exceeding one-half of the county revenue of said county per annum.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

—54.

H. 1054. To require the court of county commissioners of Marion county, Alabama, to use two mills each

year of the two and one-half mills now used for bridges for the improvement of the public roads of the county through a public road superintendent or superintendents to be appointed by said court of county commissioners, which court shall fix their compensation to be paid out of said funds; to allow all persons subject to road duty in said county to pay \$5.00 instead of working the ten days as now required; and to provide how and when this law shall go into effect.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Etowah)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

Yeas:

—54.

H. 836. To amend an act, entitled an act to establish a separate school district, to be known as the Bethel school district, composed of a portion of Colbert, Lawrence and Franklin counties, Alabama, approved Feb. 15, 1899.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Ragsdale
Armstrong	Henley	Rainer
Arnold	John	Rice
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore,
Cannon	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

—54.

H. 1032. To provide for an efficient shorthand reporter for the Thirteenth judicial circuit; to prescribe the qualifications, term of office and duties of such reporter and to fix his compensation and fees.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Cranford	Lawson
Altman	Crum	Lee (Barbour)
Arnold	Doyle (Clark)	Lovelady
Ballard (Autauga)	Doyle (Marengo)	Lyons
Benners	Elrod	Mitchell
Bloch	Fuller	Moore
Brown	Glover	McCrory
Bulger	Haley	McMillan
Burney	Hoffman	Oliver
Cannon	John	Parker
Cooper	Killen	Pearson

Peete	Sanders	Tunstall
Pitts (Perry)	Sanford	Turner
Powell (Bullock)	Sherrod	Weaver
Ragsdale	Smith (Elmore)	White (Lamar)
Rainer	Smith (Franklin)	White (Perry)
Rice	Smith (Lee)	Williams
Rushton	Steagall	Woolf
Sample		

—54.

S. 223. Making it a misdemeanor to sell, give away, or otherwise dispose of, in Mobile county, within three miles of section nine, township two, north, range one, east, spirituous, vinous or malt liquors or intoxicating bitters or beverages.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Arnold	Henley	Ragsdale
Arrington	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrary	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

—54.

H. 786. To authorize the town of Brocton in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

Was taken up. Mr. Arrington offered the following amendment to the bill:

Amend section 14 to read as follows:

Section 14. That the board of commissioners of said dispensary shall appropriate fifty per cent. of the net profit of said dispensary to the public schools of Coffee county, and the same shall be applied to the public schools in the same proportion as the public school funds from other sources are applied. Said fifty per cent. shall be paid to the persons entitled to receive the same as provided by law. That the remainder of the net proceeds of said dispensary shall be paid into the treasury of said town. That said sums shall be appropriated and paid as aforesaid quarterly or four times a year.

And the amendment was adopted.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Powell (Bullock)
Altman	Glover	Pratt
Armstrong	Haley	Ragsdale
Arnold	Henley	Rainer
Arrington	John	Rushton
Ballard (Autauga)	Killen	Sample
Benners	Lawson	Sanders
Bloch	Lee (Barbour)	Sanford
Brown	Lovelady	Sherrod
Bulger	Lyons	Smith (Elmore)
Burney	Mitchell	Smith (Franklin)
Cannon	Moore	Smith (Lee)
Cooper	McCrary	Tunstall
Cranford	McMillan	Weaver
Crum	Oliver	White (Lamar)
Doyle (Clark)	Parker	White (Perry)
Doyle (Marengo)	Pearson	Williams
Edwards	Peete	Woolf
Elrod	Pitts (Perry)	

—54.

And the bill:

H. 786. To authorize the town of Brocton in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

As amended, was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Ragsdale
Armstrong	Henley	Rainer
Arnold	John	Rushton
Ballard (Autauga)	King	Sample
Benners	Lawson	Sanders
Bloch	Lee (Barbour)	Sanford
Brown	Lovelady	Sherrod
Bulger	Lyons	Smith (Elmore)
Burney	Mitchell	Smith (Franklin)
Cannon	Moore	Smith (Lee)
Cooper	McCrory	Tunstall
Cranford	McMillan	Weaver
Crum	Oliver	White (Lamar)
Doyle (Clark)	Parker	White (Perry)
Doyle (Marengo)	Pearson	Williams
Elrod	Peete	Woolf
Fuller	Pitts (Perry)	

—54.

H. 902. To provide for the collection and disbursement of proceeds appropriated by law to the public schools of Coffee county from the dispensaries of said county.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Ballard (Autauga)	Bulger
Altman	Benners	Burney
Armstrong	Bloch	Cannon
Arnold	Brown	Cooper

Cranford	Lyons	Rushton
Crum	Mitchell	Sample
Doyle (Clark)	Moore	Sanders
Doyle (Marengo)	McCrory	Sanford
Elrod	McMillan	Sherrod
Fuller	Oliver	Smith (Elmore)
Glover	Parker	Smith (Franklin)
Haley	Pearson	Smith (Lee)
Henley	Peete	Tunstall
John	Pitts (Perry)	Weaver
Killen	Powell (Bullock)	White (Lamar)
Lawson	Pratt	White (Perry)
Lee (Barbour)	Ragsdale	Williams
Lovelady	Rainer	Woolf

—54.

H. 989. To fix the time and place where the tax collector of Morgan county, Alabama, shall keep his office, and prescribing the number of rounds to be made by him in the county each year for the purpose of collecting taxes, and allowing him to fix the number of days to remain in the several precincts, for the purpose of collecting taxes during the months of October and November in each year, and requiring him to be at the court house of the county during the month of December in each year, for the purpose of collecting the taxes of the county.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Cannon	Henley
Altman	Cooper	John
Armstrong	Cranford	Killen
Arnold	Crum	Lawson
Ballard (Autauga)	Doyle (Clark)	Lee (Barbour)
Benners	Doyle (Marengo)	Lovelady
Bloch	Elrod	Lyons
Brown	Fuller	Mitchell
Bulger	Glover	Moore
Burney	Haley	McCrory

McMillan	Rainer	Smith (Lee)
Oliver	Rushton	Tunstall
Parker	Sample	Weaver
Pearson	Sanders	White (Lamar)
Peete	Sanford	White (Perry)
Pitts (Perry)	Sherrod	Williams
Powell (Bullock)	Smith (Elmore)	Woolf
Ragsdale	Smith (Etowah)	

—54.

H. 1000. To repeal an act entitled, "An act to regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama, approved February 15, 1897.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Ragsdale
Armstrong	Henley	Rainer
Arnold	John	Rushton
Ballard (Autauga)	Killen	Sample
Benners	Lawson	Sanders
Bloch	Lee (Barbour)	Sanford
Brown	Lovelady	Sherrod
Bulger	Lyons	Smith (Elmore)
Burney	Mitchell	Smith (Franklin)
Cannon	Moore	Smith (Lee)
Cooper	McCrary	Tunstall
Cranford	McMillan	Weaver
Crum	Oliver	White (Lamar)
Doyle (Clark)	Parker	White (Perry)
Doyle (Marengo)	Pearson	Williams
Elrod	Peete	Woolf
Fuller	Pitts (Perry)	

—54.

H. 988. To fix the time and place where the tax assessor of Morgan county, Alabama, shall keep his office, and prescribing the number of rounds to be made by

him in the county each year, for the purpose of assessing taxes and allowing him to fix the number of days to remain in the several precincts for the purpose of assessing tax during the months of October and November of each year, and requiring him to be at the court house of the county during the month of December in each year for the purpose of assessing the taxes of the county.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

—54.

H. 1059. To prohibit the sale, barter, exchange, giving away, lending, delivering, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters, cordials or proprietary medicines or alcoholic drinks in Sumter county, Alabama; provided this act shall not prevent its use for religious or sacramental purposes; and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any person other than

himself any such spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, or intoxicating proprietary medicines or alcoholic drinks from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, alcoholic drinks or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks to any person within this State, and to prohibit any person, firm or corporation in the State of Alabama, from shipping into Sumter county, from any point in said State, spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, intoxicating proprietary medicines or alcoholic drinks, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict therewith.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Cannon	Henley
Altman	Cooper	John
Armstrong	Cranford	Killen
Arnold	Crum	Lawson
Ballard (Autauga)	Doyle (Clark)	Lee (Barbour)
Benners	Doyle (Marengo)	Lovelady
Bloch	Elrod	Lyons
Brown	Fuller	Mitchell
Bulger	Glover	Moore
Burney	Haley	McCrory

McMillan	Ragsdale	Smith (Franklin)
Oliver	Rainer	Smith (Lee)
Parker	Rushton	Tunstall
Pearson	Sample	Weaver
Peete	Sanders	White (Lamar)
Pitts (Perry)	Sanford	White (Perry)
Powell (Bullock)	Sherrod	Williams
Pratt	Smith (Elmore)	Woolf

—54.

H. 1082. To repeal section 4 and section 12 of an act, approved September 17th, 1903, entitled an act to better provide for the maintaining and keeping in repair the public roads of Escambia county.

Was taken up. Mr. Henley offered the following substitute for the bill:

Substitute for H. 1082:

A BILL

To be entitled an act, to amend sections 4 and 12 of an act to better provide for the maintaining and keeping in repair the public roads of Escambia county, approved Sept. 17, 1903.

Section 1. Be it enacted by the Legislature of Alabama, That section 4 and section 12 of an act to better provide for the maintaining and keeping in repair the public roads of Escambia county, approved Sept. 17, 1903, be amended so as to read as follows:

Section 4. That any person liable for road duty may be exempt from work by himself or substitute by paying to the overseer on or before the day appointed for commencing work the sum of \$1.25 for each day he is summoned to work. The commissioners' court shall cause to be printed receipt books with stubs and furnish each overseer with a sufficient supply of such receipt books, and when and as often as any person liable to road duty, pays the overseer in lieu of work the overseer shall give such person a receipt for the amount paid, and shall number the stub to correspond with the number on the receipt, and said stub shall show the amount

received and from whom received. The overseer shall from time to time pay said money over to the superintendent, taking his receipt therefor; provided that the overseer may employ hands if need be to supply the places of those who have paid in lieu of work, and may use the money collected by him to pay such hands, or for the repair of roads, bridges and causeways, on the road precinct on which the money was paid, and any residue shall be paid to the superintendent as above provided. All overseers shall, on or before the twenty-fifth day of December in each year deliver to the probate judge all stubs from receipts for money collected from road hands and shall also deliver to the probate judge all receipts given him by the superintendent. The probate judge shall keep said stubs and receipts on file in his office, and all persons shall have the right to examine and inspect the same at all reasonable times. The money collected from persons liable to road duty and not expended by the overseers as provided by this section, shall by the commissioners' court, or by the superintendent under the direction of the commissioners' court be devoted to maintaining and keeping in repair the public roads of said county. Overseers shall from time to time report to the superintendent all amounts expended by them out of the moneys collected in lieu of work on their respective road precincts and shall take a receipt or voucher from each hand employed, for the amount paid him and such receipt or voucher shall be produced to the superintendent on demand. Any superintendent who converts any of said money to his own use, or the use of another, or who wilfully fails or refuses to account for the same, as required by law shall be guilty of embezzlement and punished accordingly.

Section 12. That no person or hand in Escambia county shall be liable or required to work any public road more than six days in any one calendar year, not counting the days engaged in opening new roads. Provided that in case of washouts or obstructions of any kind on the public roads, all hands warned by the overseer for the purpose of removing such obstructions, repairing the roads, causeways or bridges are bound to at-

tend notwithstanding they have worked six days; and failing so to do must be proceeded against by such overseer as other defaulters.

And the substitute was adopted.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Price
Armstrong	Henley	Ragsdale
Arnold	John	Ralner
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

—54.

And the bill:

H. 1082. To repeal section 4 and section 12 of an act approved September 17th, 1903, entitled an act to better provide for the maintaining and keeping in repair the public roads of Escambia county.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Benners	Cannon
Altman	Bloch	Cooper
Armstrong	Brown	Cranford
Arnold	Bulger	Crum
Ballard (Autauga)	Burney	Doyle (Clark)

Doyle (Marengo)	Moore	Sample
Elrod	McCrary	Sanders
Fuller	McMillan	Sanford
Glover	Oliver	Sherrod
Haley	Parker	Smith (Elmore)
Henley	Pearson	Smith (Franklin)
John	Peete	Smith (Lee)
Killen	Pitts (Perry)	Tunstall
Lawson	Powell (Bullock)	Weaver
Lee (Barbour)	Pratt	White (Lamar)
Lovelady	Ragsdale	White (Perry)
Lyons	Rainer	Williams
Mitchell	Rushton	Woolf

—54.

H. 1004. To repeal an act entitled an act to establish and define the boundary lines of Spring Hill school district, Pike county.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Price
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrary	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

—54.

H. 1008. To establish the law and equity court of Mobile.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Judiciary, said amendment being as follows:

Committee amendment to H. B. 1008: Strike out in section 7, beginning with the word "should" in the 15th line of said section and ending with the word "certified" in the last line of said section.

Further amend said bill by striking out the words, "That the jury commissioners of Mobile county shall provide a special box of names from which jurors for said law and equity court are to be drawn, which shall be replenished by said commissioners from time to time; in the absence thereof said names shall be drawn from any circuit court or city court jury box" in section 10. Further amend said bill by striking out in the third line of section 27 the word "chancellors" and inserting in lieu thereof the words "circuit court judges."

Mr. Hoffman offered the following amendment to the amendment reported by the committee:

Amendment by Hoffman to amendment of committee:

Amend by substituting following so far as it applies to

Section 1. Be it enacted by the Legislature of Alabama, That there is hereby established in and for the county of Mobile a law and equity court of record which shall be called the law and equity court of Mobile, and which court shall have and exercise all the jurisdiction, original and appellate, and all powers which are now or may hereafter be, by law, conferred upon the several circuit and chancery courts of the State, except said court shall not have jurisdiction to try criminal cases. When exercising the powers and jurisdiction of courts of equity it shall conform to the rules of procedure and practice in the chancery courts of this State, and when exercising the powers and the jurisdiction of courts of law, it shall conform to the rules of procedure and practice of circuit courts of this State, except where rules of procedure are changed by

this act. Provided, that the presiding judge of said court shall have power to make and adopt such rules of practice as may be required by a proper system of practice for said court, and to amend the same as may be expedient. Said rules shall be recorded upon the minutes of said court.

Section 2. That a judge for said court shall be appointed by the governor within thirty days after the approval of this act, whose term of office shall continue until the election of 1908, after which time said judge shall be elective by the qualified voters of Mobile county. At the election for State officers in November, 1908, said judge shall be elected by the qualified voters of Mobile county; said judge so elected shall hold office until the next

And the amendment of Mr. Hoffman to the amendment was adopted.

And the amendment reported by the standing committee on Judiciary, as amended by the amendment offered by Mr. Hoffman, was adopted.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Dallas)	Woolf

And the bill:

H. 1008. To establish the law and equity court of Mobile.

As amended, was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	King	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrary	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Fitts (Perry)	Woolf

—54.

H. 1012. For the relief of Mary A. Galaway, widow of an ex-confederate soldier, being a resident of Shelby county, Alabama. Whereas, Mary A. Galaway has long been on the pension rolls for Shelby county, Alabama, but for the year 1905 her name was dropped from said roll through mistake.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Avery	Bloch
Armstrong	Ballard (Autauga)	Brown
Arnold	Benners	Bulger

Burney	Lee (Barbour)	Rainer
Cannon	Lovelady	Rushton
Cooper	Lyons	Sample
Cranford	Mitchell	Sanders
Crum	Moore	Sanford
Doyle (Clark)	McCrory	Sherrod
Doyle (Marengo)	McMillan	Smith (Elmore)
Elrod	Oliver	Smith (Franklin)
Fuller	Parker	Smith (Lee)
Glover	Pearson	Tunstall
Haley	Peete	Weaver
Henley	Pitts (Perry)	White (Lamar)
John	Powell (Bullock)	White (Perry)
Killen	Pratt	Williams
Lawson	Ragsdale	Woolf

—54.

H. 1061. To authorize the court of county commissioners of Sumter county, to use any money in the county treasury not otherwise appropriated for the purpose of employing detectives or secret service men to ferret out and detect violations of the prohibition laws of said county.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Doyle (Clark)	Moore
Altman	Doyle (Marengo)	McCrory
Armstrong	Elrod	McMillan
Arnold	Fuller	Oliver
Ballard (Autauga)	Glover	Parker
Benners	Haley	Pearson
Bloch	Henley	Peete
Brown	John	Pitts (Perry)
Bulger	Killen	Powell (Bullock)
Burney	Lawson	Pratt
Cannon	Lee (Barbour)	Ragsdale
Cooper	Lovelady	Rainer
Cranford	Lyons	Rushton
Crum	Mitchell	Sample

Sanders	Smith (Franklin)	White (Lamar)
Sanford	Smith (Lee)	White (Perry)
Sherrod	Tunstall	Williams
Smith (Elmore)	Weaver	Woof

—54.

H. 1063. To amend section 11 of an act "To regulate the trials of misdemeanors in Sumter county, approved December 8th, 1882."

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Fowell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woof

—54.

H. 1023. For the relief of J. S. Baker, a confederate pensioner of Tallapoosa county, Ala.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Armstrong	Ballard (Autauga)
Altman	Arnold	Benners

Bloch	Killen	Ragsdale
Brown	Lawson	Rainer
Bulger	Lee (Barbour)	Rushton
Burney	Lovelady	Sample
Cannon	Lyons	Sanders
Cooper	Mitchell	Sanford
Cranford	Moore	Sherrod
Crum	McCrory	Smith (Elmore)
Doyle (Clark)	McMillan	Smith (Franklin)
Doyle (Marengo)	Oliver	Smith (Lee)
Elrod	Parker	Turner
Fuller	Pearson	Weaver
Glover	Peete	White (Lamar)
Haley	Pitts (Perry)	White (Perry)
Henley	Powell (Bullock)	Williams
John	Pratt	Wolf

—54.

H. 883. To authorize the board of county commissioners of Tuscaloosa county to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, and to pay from the general fund of the county such sum or sums of money as said board may deem necessary or proper for such purpose.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Crum	Lyons
Altman	Doyle (Clark)	Mitchell
Armstrong	Doyle (Marengo)	Moore
Arnold	Elrod	McCrory
Ballard (Autauga)	Fuller	McMillan
Benners	Glover	Oliver
Bloch	Haley	Parker
Brown	Henley	Pearson
Bulger	John	Peete
Burney	Killen	Pitts (Dallas)
Cannon	Lawson	Powell (Bullock)
Cooper	Lee (Barbour)	Ragsdale
Cranford	Lovelady	Rainer

Rushton	Smith (Elmore)	White (Lamar)
Sample	Smith (Franklin)	White (Perry)
Sanders	Smith (Lee)	Williams
Sanford	Vann	Woolf
Sherrod	Weaver	—54.

H. 884. To authorize the board of mayor and aldermen of the city of Tuscaloosa to maintain or contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, for the benefit of the public, and to prescribe rules for the government of same, and to pay out of the general fund of the city such sums of money as the said city board deems necessary for the maintenance or part maintenance of said wagon yard or lot.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

—54.

H. 875. For the relief of J. W. Swindle, Jas. Morris, W. R. Blackwell, and R. S. Green, J. K. P. Manasco, J. H. Weems, John Orear, W. C. Atkins, U. R. Self,

Jacob Strickland, John S. Jenkins, F. M. Hyche, J. W. McDaniel and R. T. Knight, ex-confederate soldiers, all resident citizens of Alabama.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lacy (Walker)	Sample
Bloch	Lawson	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

—54.

H. 868. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating drinks or beverages within five miles of the Corona Methodist church in Corona, in Walker county, Alabama.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Benners	Cannon
Altman	Bloch	Cooper
Armstrong	Brown	Cranford
Arnold	Bulger	Crum
Ballard (Autauga)	Burney	Doyle (Clark)

Doyle (Marengo)	Moore	Sample
Elrod	McCrory	Sanders
Fuller	McMillan	Sanford
Glover	Oliver	Sherrod
Haley	Parker	Smith (Elmore)
Henley	Pearson	Smith (Franklin)
John	Peete	Smith (Lee)
Killen	Pitts (Perry)	Tunstall
Lacy (Walker)	Powell (Bullock)	Weaver
Lawson	Pratt	White (Lamar)
Lovelady	Ragsdale	White (Perry)
Lyons	Rainer	Williams
Mitchell	Rushton	Woolf

—54.

H. 914. To vacate and annul those parts of avenues Nine and Ten, west, south of Ninth street, and those parts of Tenth, Eleventh and Twelfth streets, west of Eighth avenue, west, in the city of Cullman, Alabama.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Altman	Haley	Pratt
Armstrong	Henley	Ragsdale
Arnold	John	Rainer
Ballard (Autauga)	Killen	Rushton
Benners	Lawson	Sample
Bloch	Lee (Barbour)	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Sherrod
Burney	Mitchell	Smith (Elmore)
Cannon	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Cranford	McMillan	Tunstall
Crum	Oliver	Weaver
Doyle (Clark)	Parker	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Elrod	Peete	Williams
Fuller	Pitts (Perry)	Woolf

—54.

ADJOURNMENT.

On motion of Mr. Foster, the House adjourned until 9 o'clock tomorrow morning.

FORTY-FIRST DAY.

House of Representatives,

Wednesday, July 17, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by the Rev. Mr. Malone, of the House.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Coleman (Lowndes)	Jenkins
Alford	Coleman (Marshall)	John
Altman	Cooper	Johnson
Armstrong	Cranford	Killen
Arnold	Crum	King
Arrington	Doyle (Clark)	Kirby
Avery	Doyle (Marengo)	Kornegay
Ballard (Autauga)	Dudley	Lacy (Dallas)
Ballard (Pike)	Edwards	Lacy (Walker)
Baltzell	Elrod	Lancaster
Barton	Foster	Lawson
Benners	Fuller	Lee (Barbour)
Benson	Glover	Lee (Etowah)
Bloch	Goodwyn	Lee (Houston)
Brown	Gunter	Lindsey
Bulger	Haley	Long (Butler)
Burney	Henley	Lovelady
Cannon	Hoffman	Lyons
Carmichael (Clay)	Hughston	Malone

Maner	Powell (Bullock)	Smith (Elmore)
Middleton	Powell (Covington)	Smith (Lee)
Mitchell	Pratt	Smith (Etowah)
Moore	Price	Smith (Franklin)
McCrary	Ragsdale	Steagall
McDuffie	Rainer	Thompson
McMillan	Rattray	Tunstall
Norville	Rowe	Turner
Oliver	Rushton	Urquhart
Parker	Sample	Vann
Pearson	Sanders	White (Lamar)
Peete	Sanford	White (Perry)
Pitts (Dallas)	Seale	Williams
Pitts (Perry)	Sherrod	Woelf

—102.

A quorum was present.

JOURNAL.

Mr. Smith, of Lee, acting chairman of the standing committee on Revision of the Journal, made the following report:

REPORT OF REVISION OF JOURNAL COMMITTEE.

Mr. Speaker:

Your committee on the Revision of the Journal beg leave to report as follows:

We have examined the journal for the Fortieth day and find the same to be correct.

R. C. Smith,
Acting Chairman.

The report of the committee was concurred in and the journal of the 40th day was approved.

LEAVE OF ABSENCE.

Was granted to Messrs. Rice and Long, of Morgan, indefinitely.

PRIVILEGES OF THE FLOOR

Were extended to Hon. J. Thomas Heflin, Hon. Oscar W. Underwood, Hon. John H. Bankhead, Jr., Hon. Francis J. Inge, and Hon. Jno. W. Pickering, for to-day.

RESOLUTIONS.

The following resolutions were introduced and referred to the committee on Rules:

By Mr. Lee, of Etowah:

H. R. 271. Resolved that H. B. No. 949, on page 93 of the calendar, to create a text book commission and to procure for use in the public schools of this State a uniform series of text-books, to define the duties and powers of said commission, and to make an appropriation for the carrying into effect this act, be set down as a special, paramount, continuing order at eleven o'clock on Tuesday, the 23 day of July.

By Mr. Lee, of Houston:

H. R. 272. Resolved, that H. B. 922, A bill to be entitled an act, to require each and every officer, each and every official body, etc., whose duty it is to assess property or value the same for taxation, to assess the same at forty per cent. of its cash market value, be made a paramount, special, continuing order for Thursday, July 18th, at 10 o'clock, all orders heretofore made not excepted.

By Mr. Glover:

H. R. 273. Resolved by the Legislature of Alabama, That an amendment to the constitution of the State of Alabama of 1901 be and is hereby proposed; that is to say, that said section be amended so as to read, when amended, as follows:

Sec. 93. The State shall not engage in works of internal improvement, nor lend money or its credit in aid of such; nor shall the State be interested in any private or corporate enterprise; but the State treasurer may by

and with the approval of the governor, deposit in any State depository such sum or amount of the State funds as such depository is now or may hereafter be by law authorized to receive and hold, at the highest rate of interest obtainable thereon by bid; provided, that such depository shall at all times, while holding on deposit any portion of the funds of the State, as in this section authorized, keep on deposit with the State treasurer, bonds of the State of Alabama at their par value to an amount not less than the aggregate amount of the funds of the State as held by such depository.

BILLS ON SECOND READING.

Mr. Mitchell, chairman of the standing committee on Claims and Fees, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 124. To amend section 1 of an act entitled an act to amend section 4583 of the Code of Alabama (1896), approved February 23rd, 1899.

H. 1249. To regulate the fees of the sheriffs for feeding prisoners confined in jail under charge or conviction of any indictable offense, and to provide the payment therefor.

H. 1264. To fix the compensation of the treasurers of the different counties of the State.

Mr. Smith, of Elmore, chairman of the standing committee on Public Roads and Highways, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1256. For the improvement of the public roads of Lowndes county.

H. 1259. To amend sections 4, 13, 20, 17, 24, 25, and by adding section 28 1-2 to the provisions of an act entitled "An act to provide a road law for the county of Marengo, and to enforce the same," approved February 26th, 1907.

Mr. Pitts, of Dallas, chairman of the standing committee on Revision of Laws, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 445. To fix and provide for the salary of the judge of the city court of Selma.

H. 1233. To make it unlawful for any person to carry about his person a pistol or fire arm of any other kind or description, or air gun, other than on his own premises or from the place of purchasing such fire arm or air gun, to his premises or place of business, shorter than twenty-four inches in length, and to fix the burden of proof and the punishment for the violation thereof.

H. 1250. To amend an act, entitled an act, to make subject to taxation, in this State, money lent, solvent credits, and credits of value, and moneyed capital, approved March 4th, 1907.

H. 1251. To repeal an act, entitled an act, to make subject to taxation in this State, money lent, solvent credits, and credits of value and moneyed capital, approved March 4th, 1907.

H. 1265. To authorize the clerk of the circuit court of each county of the State on the approval of the presiding judge to employ a deputy clerk during the term of each court and to provide for the payment for such services.

H. 1303. To amend sub-division of section 1377 of the civil Code, relating to compensation of sheriffs for ex-officio services.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 985. For the relief fo Walter-Cotter Co. on expired license as future dealers.

H. 1013. To provide for the payment out of the county treasury of Shelby county, Alabama, the sum of \$336.91 as the salary or compensation and expenses of the State examiner while engaged in making an exam-

ination of books and accounts of the various county officers of said county of Shelby as they pertain to the county affairs, and to make said claim a preferred claim against said treasury.

H. 1269. For the relief of Mrs. Catherine Morrison.

H. 1291. For the relief of W. C. Evans, a confederate pensioner of Pickens county, Alabama.

Mr. Ballard, of Autauga, chairman of the standing committee on Temperance, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 344. To further regulate the opening, closing and operating saloons and giving away, or selling spirituous, vinous or malt liquors under a license, from the State, and to punish violations thereof.

H. 1301. To prohibit the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages, in the county of Houston, in the State of Alabama; and to provide for an offense and a penalty for the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages in the said county of Houston.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 853. To fix and regulate the salaries of probate judges, sheriffs, clerks, (or clerks and registers) of the circuit court, city, law and equity, criminal or other courts of record, registers in chancery, tax assessors and tax collectors; to provide for the distribution of the fees of their offices; to provide for the employment and compensation of the deputies of said officers in counties having 50,000 population and over.

H. 1228. For the relief of T. W. Smith, clerk of the circuit court of Autauga county, Alabama.

H. 1252. To fix the time of holding the circuit court in the county of Lawrence in the Eighth judicial circuit of Alabama.

H. 1271. To amend an act entitled "an act to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers, their powers, duties and compensation; to fix the terms of said court; and to prescribe rules and procedure for said court," approved Feb. 25, 1907; by amending sections 6 and 7 of said act; and by adding section 37, providing that the judge of the said Morgan county law and equity court be authorized and empowered to direct the sheriff of Morgan county to appoint a sufficient number of deputies to serve the process of this court and perform other necessary and proper duties and to provide for the compensation of the sheriff, deputies and janitor for said court; and by adding section 38, providing for the trial of all cases removed to the Morgan county law and equity court from any other court in Morgan county, and by adding section 39, providing that a session of said court may be held at any time, for such purpose as the judge of the court may determine, and for which petit and grand jurors may be summoned and empanelled and by adding section 40, providing for rendering final judgment upon forfeited bonds.

H. 1272. To provide for the transfer of civil causes pending in the circuit court of Morgan county, Alabama, to the Morgan county law and equity court, and to provide for the trial of said causes so transferred.

H. 1273. To provide for the transfer of all causes charging the commission of misdemeanor, presented by indictment by the grand jury of the circuit court of Morgan county, Ala., to the Morgan county law and equity court of Morgan county, Ala., and to provide for the trial and proceedings in said causes.

H. 1247. To authorize and empower the county treasurer of Morgan county, Alabama, to pay all jurors, grand and petit, and all bailiffs, janitors, and other proper officers of the Morgan county law and equity court of Morgan county, Ala., except the salary of the judge of said court, and to pay for the supplies, records, furniture, stationery and fixtures for said court, and to provide for his compensation therefor.

H. 1275. To provide for the transfer to the Morgan county law and equity court of all causes pending in the chancery court of Morgan county, Alabama, at the time of the approval of this act, and to provide for the trial of said causes so transferred.

H. 1287. To legalize the registration of, and to make self proving, deeds of conveyance, which have been recorded in the office of the judge of probate of the proper county before the passage of this act, but not within the time heretofore required by law.

H. 1300. To amend section 393 of the Code of 1896.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 439. To appropriate the sum of thirty (\$30.00) dollars for the relief of C. R. Gibson, as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll as being dead, and to reinstate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved Feby. 10, 1899.

S. 440. To appropriate the sum of thirty (\$30.00) dollars for the relief of I. Moody, as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll, and to reinstate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved Feby. 10th, 1899.

H. 531. For the relief of Beverley Jackson, alias Beverley Green.

H. 1232. To make further provisions for defraying the expenses of the Legislature.

H. 1307. For the relief of tobacco dealers other than dealers who conduct tobacco and cigar stands, who have paid the license tax under the bill approved March 7th, 1907, entitled an act to better provide for the revenue of the State.

H. 1310. To make an appropriation for the payment of sundry balances and to provide for the completion of the improvements on the State capitol building.

Mr. Woolf, chairman of the standing committee on Ways and Means, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 975. To relieve the National Negro Fair Association from the payment of all license and privilege taxes as well as to relieve its real and personal property, located in Mobile county, Alabama, from taxation for a period of five years.

H. 1109. To provide for the disbursements of the revenue or proceeds derived from the convicts and require county convicts to be worked by the State.

H. 1205. To amend section 3915 of the Code as amended by an act entitled an act to better provide for the revenue of the State, approved March 4th, 1903.

H. 1239. To empower the governor to suspend the collection of such portion of the general tax as may not be needed.

H. 1244. To relieve and exempt the Alabama State Fair and Exhibit Association and all persons, firms or corporations who conduct business with said association on its fair grounds in Jefferson county, during the annual fairs of said association from the payments of all State, county and municipal taxes and licenses.

H. 1246. To amend sections 4106 and 4107 of the Code.

H. 1255. To require each and every person who peddle, or who travel and sell at retail medicine of any kind, dry goods, notions, bibles or books, secular or religious, in Lowndes county, Alabama, to pay a license tax of seven hundred and fifty dollars, and to provide a penalty for a violation thereof.

H. 1290. To promote and secure the erection of factories for the purpose of manufacturing cement in the State of Alabama.

Mr. Jenkins, chairman of the standing committee on County and County Boundaries, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1292. To require the court of county commissioners of Baldwin county to let to the lowest bidder, after due notice by publication, the road and bridge contracts in Baldwin county, provided, said bidder gives bond for the faithful performance of contract.

Mr. McDuffie, acting chairman of the standing committee on Education, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report:

H. 916. To establish a high school for Dale county, to be located at Ozark, Alabama.

Mr. Haley, chairman of the standing committee on Local Legislation, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

S. 385. To authorize the county of Limestone to construct public roads and to provide the method and manner of their construction and building.

S. 482. To regulate the practice in the circuit court of Walker county, Alabama, to provide rules of practice for said court; and to provide for drawing juries for said court.

S. 484. To fix the time of holding the circuit courts in the counties of Walker and Winston, composing the 14th judicial circuit of the State of Alabama.

H. 1267. To provide for the payment by the court of county commissioners of Bullock county, Alabama, out of the county treasury for removal fees, mileage and per diem for the removal of persons charged with misdemeanors.

H. 1268. To allow the sheriff of Bullock county, Alabama, for fees for attendance upon the trial of any habeas corpus case before any judge or court, and to au-

thorize the commissioners' court of said county to pay the same out of the general fund of the county.

H. 1270. To require the tax assessor of Montgomery county to make annually a lot book showing in abstract form all legal subdivisions which have been or which may be hereafter made of all property in Montgomery county, and the name of the person, firm or corporation to whom each lot or subdivision is assessed for the current year; and to provide compensation therefor.

H. 1295. To fix the compensation to be allowed the sheriff of Butler county, Alabama, for services rendered by the sheriff of Butler county, Alabama, in the county court of Butler county, and to provide for the payment of said compensation.

H. 1296. To authorize and empower the court of county commissioners of Butler county to employ a janitor for Butler county, who shall be under the control and direction of the sheriff of Butler county, to prescribe his duties and to provide for the payment of such janitor.

H. 1297. To fix the compensation to be allowed the sheriff of Butler county, Alabama, for empaneling grand juries, advertising and attending to elections in Butler county, and for all other public services and official duties for the compensation of which no express provision of law is made.

H. 1298. To authorize and empower the court of county commissioners of Butler county to contract for and place in the office of the various officers of said county, telephones, writing machines and other mechanical devices as in the opinion of the said court of county commissioners is necessary or expedient and to contract for and place in the jail and poor houses of said county such telephones as may be necessary.

H. 1299. To fix the compensation to be allowed the circuit clerk of Butler county, Alabama, for all official duties not otherwise provided for.

H. 1305. To fix the salary of the county treasurer of Walker county, Alabama.

H. 1308. To amend sections 1, 2, 6, 7, 9, 10, 11, 15, 24, 25 and 38 of an act entitled an act to amend an act

entitled an act to better provide for establishing, working and maintaining the public roads and bridges in Walker county, Alabama, approved March 6th, 1903.

Mr. Gunter, chairman of the standing committee on Municipal Organization, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1001. To amend section 1 of an act entitled, "An act to establish a new charter for the town of Hartselle in Morgan county," approved February 18th, 1899.

H. 1002. To amend Sec. 4 of an act entitled, "An act to incorporate the town of Somerville, in Morgan county, Alabama," approved February 3rd, 1872.

H. 1198. To amend sections 17 and 18 of an act to authorize cities, towns and other municipal corporations to make certain improvements on the sidewalks, streets, avenues, alleys, highways or other public places of such city, town or other municipal corporation; to construct sewers, to assess the cost of such improvements, or any part thereof, upon the property abutting such street, avenue, alley, highway, or other public place or drained by such sewers or against the right of way of any railroad so improved or drained by such sewers; to make such assessments a lien on such property and to regulate appeals from such assessments; to provide methods for the enforcement of such lien and the payment of such assessment and penalties; and to authorize the issue of bonds to pay for such improvements.

The above and foregoing bills were severally read a second time, and placed on the calendar.

BILLS REPORTED ADVERSELY.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

H. 1283. To amend section 2801 of the Code of Alabama of 1896.

Mr. Pitts, of Perry, chairman of the standing committee on Agriculture, reported that said committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

H. 982. To receive and appropriate the moneys granted to the State of Alabama by an act of Congress approved March 4th, 1907, at 9:43 a. m., entitled an act, making appropriations for the Department of Agriculture for the fiscal year ending June 30th, 1908.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 986. For the relief of Annie Y. Boyland, by making additional compensation to her for the lots now forming part of the capitol grounds acquired from her under the act of Feby. 17th, 1903, creating a commission for the improvement of the capitol building and grounds.

H. 1304. For the relief of J. W. Burton of Shelby county, Alabama.

S. 244. To provide for the relief of S. D. Logan.

Mr. Woolf, chairman of the standing committee on Ways and Means, reported that said committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

H. 1261. To amend an act to reduce and fix the rate of taxation in this State, approved March 4, 1903.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Goodwyn:

H. 1313. To provide for the removing of prisoners from one county to the other, and to provide for the expenses for same.

Penitentiary and Criminal Administration.

By Mr. Vann, (with notice and proof) :

H. 1314. To abolish and close the dispensary at Headland, Henry county, Alabama.

Temperance.

Notice and Proof. H. 1314.

NOTICE.

Is hereby given that I will introduce a bill in the present Legislature repealing the act under the general law establishing and providing for dispensaries in Henry county, Ala.

J. R. Vann.

The State of Alabama, }
Henry County. }

Before me, T. A. West, a notary public in and for said county, came O. E. Hanes, who, being duly sworn, deposes and says that he is owner and proprietor of the Headland Post, a newspaper published weekly in Headland, Henry county, Alabama, and that the following notice attached in the margin to the left of this affidavit was published in said Headland Post for four successive weeks, commencing on thirty-first day of January, 1907.

O. E. Hanes.

Sworn to and subscribed before me this the 10th day of July, 1907.

T. A. West,
Notary Public.

By Mr. Powell, of Covington, (with notice and proof):

H. 1315. To establish a dispensary in and for the town of Andalusia, in the county of Covington, in the State of Alabama, and to provide for the conduct and regulation of the same.

Temperance.

Notice and Proof. H. 1315.

NOTICE.

Notice is hereby given that application will be made and a bill introduced at the adjourned term of the present session of the Legislature of Alabama, which recon-

venes on the 9th day of July, 1907, for the psassage of a law to establish in the corporate limits of the town of Andalusia, in the county of Covington, State of Alabama, a dispensary for said the town of Andalusia. to be conducted and carried on by said town in its corporate capacity, for buying and selling spirituous, vinous and malt liquors, in which said law provisions will be made for the selection, appointment and employment of a dispenser, commissioners and others officers and agents to operate, conduct and carry on the business of said dispensary for said the town of Andalusia, and also for the management, regulation and operation of said dispensary, and also for the disposition of the revenues derived from the operation of said dispensary; and also to prohibit the sale of spirituous, vinous or malt liquors or intoxicating beverages of any kind within the limits of the town of Andalusia, except as in said act provided.

W. M. Knox.

The State of Alabama, }
Covington County. }

Before me, J. M. Robinson, Jr., judge of probate, in and for said State and county, this day personally appeared Edward Doty, who, being duly and legally sworn, deposes and says: That he is the editor and proprietor of The Andalusia News, a newspaper published weekly at Andalusia, in Covington county, Alabama, and that the above and foregoing notice has been published once a week for four (4) consecutive weeks in said newspaper, beginning with the issue of May 23rd, 1907.

Edward Doty.

Sworn to and subscribed before me, this the 8th day of July, 1907.

J. M. Robinson, Jr.,

Judge of Probate.

By Mr. Haley, (with notice and proof) :

H. 1316. To vacate, abolish and annul as alleys, streets or public highways, the following streets and alleys as shown and contained in the map of the property of the North Birmingham Land Company, in Jefferson

county, Alabama, to-wit: the alleys running east and west through the center of blocks numbered 214 and 234 and lying between the west line of 14th street and the east line of 15th street; also that portion of Sixth avenue lying along the north of said block 214 and south of what is known as the Jonesville road, as now located at said point; also that portion of Seventh avenue lying between the west line of 14th street and the east line of 15th street; also that portion of 8th avenue lying west of the west line of 14th street and south of block 234; and to annul and extinguish the dedication thereof.

Local Legislation.

Notice and Proof. H. 1316.

NOTICE.

Notice is hereby given that at the next session of the Legislature of Alabama, which reconvenes on July 9th, 1907, there will be introduced for passage a bill which will be in substance as follows:

To vacate, abolish and annul as alleys, streets or public highways and to annul and extinguish the dedication thereof, the following alleys and streets as shown and contained in the map of the property of the North Birmingham Land Company, in Jefferson county, Alabama, to-wit:

The alleys running east and west through the center of blocks numbered 214 and 234, and lying between the west line of 14th street and the east line of 15th street; also that portion of 6th avenue lying along the north of said block 214 and south of what is known as the Jonesville road, as now located at said point; also that portion of 7th avenue lying between the west line of 14th street and the east line of 15th street; also that portion of 8th avenue lying west of the west line of 14th street and south of block 234.

The State of Alabama, }
 Jefferson County. }

Before me, Nisbet Hambaugh, a notary public in and for said county and State, personally appeared James

J. Smith, who being by me duly sworn, deposes and says that he is the manager and publisher of the Birmingham Ledger, a daily newspaper published in Jefferson county, Alabama, and that the foregoing notice hereto attached was published in said Birmingham Ledger once a week for four consecutive weeks prior to the making of this affidavit.

James J. Smith.

Sworn to and subscribed before me this 15th day of July, 1907.

Nisbet Hambaugh,
Notary Public.

By Mr. Norville, (with notice and proof.)

H. 1317. To authorize the county of Mobile and the city of Mobile to each contribute the sum of twenty-five hundred dollars annually to the maintenance and support of the Gulf Coast Tropical Fair Association. Appropriations.

Notice and Proof. H. 1317.

The State of Alabama, }
Mobile County, }

Personally appeared before me, C. H. Costello, a notary public in and for said State and county, Thomas B. Allman, who on oath deposes and says he is the cashier of the Herald Publishing Company; that said company publishes the Mobile Daily Herald, which is a newspaper published in the city and county of Mobile; that the subjoined advertisement was published in said newspaper, once each week for four consecutive weeks, as required by section 106 of the constitution, that is to say:

Thomas B. Allman.

NOTICE.

Is hereby given of the intention to apply to the Legislature of Alabama, which will convene in adjourned session in the city of Montgomery, Alabama, in July,

1907, for the passage of a special or local law which in substance will authorize the county commissioners of Mobile county and the city council of the city of Mobile to contribute annually the sum of five thousand dollars to the support, upbuilding and maintenance of the Gulf Coast Tropical Fair Association, of Mobile, Alabama.

Subscribed and sworn to before me this 12th day of July, A. D., 1907.

C. H. Costello,
N. P., Mobile County.

By Mr. Norville.

H. 1318. To amend section six of an act approved December 12th, 1894, entitled "an act to establish a State Board of Embalming, to provide for the better protection of life and health, to prevent the spreading of contagious diseases, and to regulate the practice of embalming and the disposition of the dead."

Public Health.

By Mr. Lyons, (with notice and proof.)

H. 1319. To amend section 1 of an act entitled an act to alter, re-arrange and extend the corporate limits of the city of Mobile, Alabama, approved March 2, 1907.

Local Legislation.

Notice and Proof. H. 1319.

The State of Alabama, }
County of Mobile. }

Before me, Robert J. McCleery, a notary public, in and for said county and State, personally appeared Michael P. Dowling, known to me to be the bookkeeper of The Item Publishing Company, who, being by me first duly sworn, deposes and says on oath, that he is the bookkeeper of The Item Publishing Company; that The Item Publishing Company publishes The Mobile Daily Item, which is a daily newspaper, published in the city of Mobile, county of Mobile, State of Alabama;

and affiant further says on oath that the following printed notice, pasted to this affidavit, was published once a week for four consecutive weeks in The Mobile Daily Item, above mentioned:

(Signed) Michael P. Dowling,
Bookkeeper of The Item.

Subscribed and sworn to before me this the 12th day of July, 1907.

Robert J. McCleery,
Notary Public, Mobile County, Alabama.

To Whom it May Concern:

This is to give notice that at the reconvened session of the Legislature of Alabama, to be held during July, 1907, there will be introduced a bill to amend section 1 of the act passed by the said Legislature of Alabama and approved March 2, 1907, said act being entitled "An act to alter, rearrange and extend the corporate limits of the city of Mobile, Alabama," by changing said section 1 to read as follows:

"That from and after the passage of this act, the corporate limits of the city of Mobile, Ala., shall be altered, rearranged and extended as follows:

"Commencing at the north bank of Three Mile creek at its mouth, thence running east to the east bank of Spanish river, thence down the east bank of said river to the extreme southern point which will intersect the south boundary of township No. 4, thence west to a point where a north line will strike the Three Mile creek at the old portage, thence down the left bank of said Three Mile creek to the place of beginning."

By Mr. Jenkins:

H. 1320. To further regulate elections in the State of Alabama.

Privileges and Elections.

By Mr. McDuffie, (with notice and proof):

H. 1321. To repeal sections 4, 5, 6 and 8 of an act entitled an act to better provide for working the public roads in the counties of Baldwin, Escambia and Mon-

roe, approved Feb. 9th, 1901, in so far as the same applies to the county of Monroe, and to amend section twelve of said act and further regulate the working of the public roads in Monroe county.

Public Roads and Highways.

Notice and Proof. H. 1321.

The State of Alabama, {
Monroe County. }

Before me, L. J. Bugg, a notary public in and for said State and county, personally appeared Q. Salter, who, being by me first duly sworn, deposes and says, that he is the editor and publisher of the Monroe Journal, a newspaper published in Monroeville, in said State and county, and that the following notice, to-wit:

NOTICE.

Notice is hereby given that a bill will be introduced in the next session of the Legislature of Alabama, the substance of which will be as follows:

1. To repeal section four, five, six and eight of an act of the Legislature of Alabama, approved February 9th, 1901 (Local Acts 1901, page 902) passed for the counties of Baldwin, Escambia and Monroe, in so far as said law applies to Monroe county. The substance of said above named sections being a provision allowing persons subject to road duty to relieve themselves from such service by paying to the overseers of the roads the sum of one dollar for each day they are summoned to work on said public roads.

2. To amend section 9 of said act so as to allow road commissioners therein provided for the sum of \$3.00 per day, and five cents per mile for each mile traveled while engaged in the discharge of duties as said road commissioners; the compensation provided in said law at the present being \$2.00 per day and three cents per mile for each mile traveled while engaged in the discharge of said duties.

3. To amend section 11 of said act so as to allow said road commissioners 12 days in any three months in the discharge of their duties as said road commissioners, instead of six days as provided in said law.

4. To amend section 12 of said act so as to reduce the fine imposed upon road commissioners and overseers for the failure to perform the duties required of them by said act to a fine of not less than \$10.00 and not more than \$25.00, the fine imposed by said act as it now stands being not less than \$100.00 and not more than \$500.00.

5. To pass a law making all persons from 18 years to 50 years of age, who are not exempt from road duty by the general law, subject to road duty.

6. To pass a law requiring all overseers to work their roads not less than 6 days in each year.

7. To pass a law permitting any road commissioner or apportioner to report any overseer to any justice of the peace in the precinct where said overseer resides, or to the judge of the county court, for the failure to discharge any of the duties imposed by law upon overseers. And to provide that all fines collected from road defaulters, and overseers and apportioners for the failure to perform their duties as such shall be paid to the county treasurer, and used by the court of county commissioners for the improvement of the public roads of the county.

Was published in each issue of said paper, beginning with the issue of June 6th, 1907, and continued to and contained in the issue of June 20th, 1907, and that said notice has been published for thirty days in said paper.

Q. Salter.

Sworn to and subscribed before me this 15th day of July, 1907.

L. J. Bugg,
Notary Public.

By Mr. Hoffman:

H. 1322. To provide for compulsory pilotage on all vessels and craft crossing the outer bar of Mobile bay, except vessels engaged in American coastwise trade, and to repeal all laws in conflict herewith.

Municipal Organization.

By Mr. Haley:

H. 1323. To appropriate fifteen hundred dollars for the purpose of furnishing and equipping the office of mine inspectors of this State with necessary and suitable furniture, apparatus, machines and all other necessary instruments.

Appropriations.

By Mr. Haley:

H. 1324. To amend section 2904 of the Code of Alabama as now amended.

Appropriations.

By Mr. Sherrod:

H. 1325. For the benefit of the common schools of Alabama.

Education.

By Mr. Steagall:

H. 1326. To make the sale, barter or exchange of vinous, spirituous or malt liquors or intoxicating beers and beverages of any kind in a prohibition district a felony.

Temperance.

By Mr. Cranford, (with notice and proof):

H. 1327. To amend Sec. 1, 2, 3, of an act entitled an act to provide a new charter for the town of Cordova, Walker county, Alabama, approved December 13th, 1900.

Municipal Organization.

Notice and Proof. H. 1327.

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama when same reconvenes in July for the passage of the following bill:

AN ACT

To be entitled an act to amend Sec. 1, 2, 3 of an act to provide a new charter for the town of Cordova,

Walker county, Alabama, approved December 13th, 1900.

Be it enacted by the Legislature of Alabama, That Secs. 1, 2 and 3 of an act entitled an act to provide a new charter for the town of Cordova, Walker county, Alabama, approved December 13th, 1900, be amended so as to read as follows:

Sec. 1. Be it enacted by the General Assembly of Alabama, That the town of Cordova in the county of Walker, State of Alabama, be and the same is hereby incorporated, and that the limits of the town of Cordova, Walker county, Alabama, are as follows:

S. E. 1-4 and E. 1-2 of S. W. 1-4, Sec. 5, and all that part of the S. W. 1-4 of Sec. 4 lying west of Cane creek, and the E. 1-2 and the E. 1-2 of W. 1-2 of Sec. 8 lying north of Frog Ague creek and the W. 1-2 of Sec. 9 that lies north of Frog Ague creek and south of Cane creek; and all that part of S. W. 1-4 of the S. E. 1-4, Sec. 4, and N. W. of the N. E. 1-4 of Sec. 9, lying south of Cane creek and west of the Warrior river, all in Tp. 15, R. 6, west, Walker county, Alabama.

The following described property belonging to the Indian Head Mills of Alabama are expressly excepted from boundaries and limits of said incorporation, to-wit: S. E. 1-4 of S. W. 1-4, Sec. 5; S. W. 1-4 of S. E. 1-4, Sec. 5; N. E. 1-4 of N. W. 1-4, Sec. 8; N. W. 1-4 of N. E. 1-4, Sec. 8 and nineteen acres on the easterly side of the St. Louis and San Francisco railroad, beginning at a stone at the intersection of the said railroad boundary line with the northerly line of the S. E. 1-4 of the S. E. 1-4 of Sec. 5, thence easterly along the northerly line of S. E. 1-4 of the S. E. 1-4 of Sec. 5 about 45 rods and 13 links to a stone, thence southerly along the **branch to a stone about 75 rods and 20 links at the intersection of the line running five feet southerly of lots staked out, thence westerly to a stone on the easterly boundary line of the St. Louis & San Francisco railroad lands to place of beginning; also all that part of the N. E. 1-4 of N. E. 1-4, Sec. 8, that lies west of the transfer track. Also all that part of the S. E. 1-4 of S. E. 1-4, of Sec. 5, lying west of the right of way of**

the St. Louis & San Francisco railroad and all that part of the W. 1-2 of the S. W. 1-4 of the N. E. 1-4, Sec. 8, lying north of the right of way of the Southern Railway Co.

All the above described property is in Tp. 15, R. 6, west.

The property not belonging to the Indian Head Mills of Alabama within the above described limits mentioned as excepted from the boundaries of the incorporation, not excepted from the incorporation. And the present and future inhabitants of said town of Cordova, as by this act incorporated, shall be and they are hereby made and constituted a body politic and corporate under the name and style of "The Town of Cordova." Under and by which name and style the corporate authorities shall sue and be sued, either in law or equity, and may purchase and hold property to the amount of ten thousand dollars, and do all acts incident to bodies corporate.

Sec. 2. Be it further enacted, That the government of said town shall be styled "Mayor and Aldermen of Cordova," and consist of a mayor and five aldermen, citizens of said town, who shall serve the term of two years and until their successors are elected and shall qualify; said officers shall be elected by the male inhabitants of said town who are qualified electors under the constitution and laws of the State of Alabama. The mayor shall be ex-officio justice of the peace during his term of office for the purpose of carrying into effect all laws, by-laws, and ordinances that may be enacted by the corporate authorities of said town for the government of the same. Before entering upon their official duties they shall take an oath to support the constitution of the State and the oath of office therein prescribed.

Sec. 3. Be it further enacted, That all elections of said officers shall be held on the first Monday in July every two years, but the corporation shall not be dissolved should the election not take place on the day appointed, but the mayor and aldermen shall remain in office until their successors shall be elected and are

qualified, and they shall order an election on some day not more than thirty days thereafter. The election for mayor and aldermen shall be in all cases conducted by two of the aldermen, to be appointed by the board for that purpose. The mayor and aldermen shall determine the legality of all elections, declare who have been elected, and in case of a tie, shall determine who shall be mayor and aldermen.

The State of Alabama, }
Walker County. }

Before me, E. W. Long, clerk of the circuit court in and for said State and county, personally appeared J. W. Young, who, being duly sworn, says on oath that he is editor and publisher of the Walker County News, a newspaper published in Walker county, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks prior to the present session of the Alabama Legislature.

J. W. Young.

Sworn to and subscribed before me this the 15th day of July, 1907. E. W. Long, Clerk.

By Mr. Kirby:

H. 1328. To prescribe the qualifications and additional duties of county superintendents, and to provide a more efficient supervision for the public schools of Alabama.

Education.

By Mr. Glover:

H. 1329. Proposing an amendment to section 93 of the constitution which shall authorize the State to receive interest on funds deposited by it in designated depositories; and providing for the submission of said amendment to the qualified electors of the State for their adoption or rejection at the general election to be held on the first Monday after the first Tuesday in November, 1908.

Judiciary.

By Mr. Bulger, (with notice and proof):

H. 1330. To amend section 5538 of the Code, entitled Fees and commissions of deputy solicitors; limit; residue goes to county, in so far as the same applies to Tallapoosa, County. Judiciary.

Notice and Proof. H. 1330.

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama at its coming session which convenes on the 9th day of July, 1907, to enact a law, the substance of which will be as follows:

That the county or deputy solicitor of Tallapoosa county may collect commissions earned by him in the county court of said county during each year. 5-30-4w

The State of Alabama, }
Tallapoosa County. }

Before me, W. P. Holley, a justice of the peace in and for said State and county, personally appeared P. A. Jackson, who, being first duly sworn, deposes and says that he is the publisher of Tallapoosa Courier, a weekly newspaper published at Dadeville, in Tallapoosa county, Alabama, and that the above and attached notice was published in said newspaper for four consecutive weeks, in the issues of May 30th, June 6th, 13th and 20th, 1907, inclusive. P. A. Jackson.

Subscribed and sworn to before me this the 15th day of July, 1907.

W. P. Holley,
Justice of the Peace.

By Mr. Seale:

H. 1331. To amend section 3989 of the Code of 1896. Ways and Means.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill:

H. 939. To adopt a Code of laws for the State of Alabama.

Was taken up. Mr. Tunstall offered the following amendment to the bill:

Amend by adding section 4, as follows:

Sec. 4. The section of the manuscript Code, corresponding to section 1370 of the Code of 1896 be and is hereby stricken out, and not carried into the new Code.

And the amendment was adopted.

Yeas, 81; nays, 5.

Yeas:

Messrs:—

Speaker	Henley	Pearson
Alford	Hoffman	Peete
Altman	Hughston	Pitts (Dallas)
Armstrong	John	Pitts (Perry)
Avery	Johnson	Powell (Bullock)
Ballard (Autauga)	Jones	Powell (Covington)
Ballard (Pike)	Killen	Power
Baltzell	Kirby	Ragsdale
Barton	Kornegay	Rainer
Benness	Lacy (Dallas)	Rattray
Benson	Lacy (Walker)	Rowe
Bloch	Lancaster	Rushton
Bulger	Lawson	Sanders
Burney	Lee (Barbour)	Sanford
Cannon	Lee (Etowah)	Seale
Carmichael (Clay)	Lee (Houston)	Sherrod
Coleman (Marshall)	Lindsey	Smith (Elmore)
Cranford	Lovelady	Smith (Franklin)
Crum	Lyons	Smith (Lee)
Doyle (Marengo)	Malone	Steagall
Dudley	Mastin	Tunstall
Edwards	Mitchell	Turner
Elirod	Moore	Vann
Foster	McCrory	Weaver
Fuller	McDuffie	White (Lamar)
Glover	McMillan	White (Perry)
Haley	Oliver	Williams

Nays:

Messrs:—

Arrington

Cooper

Sample

Smith (Etowah)

Woolf

—5.

And the bill:

H. 939. To adopt a new Code of laws for the State of Alabama.

As amended, was read a third time, at length, and passed.

Yeas 77; nays, 1.

Yeas:

Messrs:—

Speaker

Alford

Altman

Armstrong

Arnold

Arrington

Avery

Ballard (Autauga)

Ballard (Pike)

Benners

Benson

Bloch

Brown

Bulger

Burney

Cannon

Carmichael (Clay)

Coleman (Lowndes)

Coleman (Marshall)

Cooper

Crum

Doyle (Clark)

Doyle (Marengo)

Elrod

Foster

Fuller

Glover

Haley

Henley

Hoffman

Johr

Johnson

Jones

Killen

King

Kirby

Lacy (Dallas)

Lancaster

Lee (Barbour)

Lee (Etowah)

Lee (Houston)

Lindsey

Long (Butler)

Lovelady

Lyons

Malone

Mastin

Moore

McCrory

McMillan

Parker

Pearson

Peete

Pitts (Dallas)

Pitts (Perry)

Powell (Bullock)

Powell (Covington)

Pratt

Ragsdale

Rushton

Sample

Sanders

Sanford

Sherrod

Smith (Elmore)

Smith (Franklin)

Smith (Lee)

Steagall

Turner

Vann

Weaver

White (Lamar)

White (Perry)

Woolf

—77.

Nays:

Mr. Williams

—1.

BILLS ON THIRD READING.

H. 940. To provide for the publication and distribution of the Code of Alabama and the acts of the Legislature.

Was read a third time, at length, and passed.

Yeas, 73; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Parker
Altman	Henley	Pearson
Armstrong	Hoffman	Peete
Arnold	John	Pitts (Dallas)
Avery	Johnson	Pitts (Perry)
Ballard (Autauga)	Jones	Powell (Bullock)
Ballard (Pike)	Killen	Powell (Covington)
Barton	King	Pratt
Benson	Kirby	Ragsdale
Brown	Kornegay	Rainer
Burney	Lacy (Dallas)	Rattray
Cannón	Lacy (Walker)	Rowe
Carmichael (Clay)	Lancaster	Rushton
Coleman (Lowndes)	Lawson	Sample
Cooper	Lee (Barbour)	Sanders
Crum	Lee (Etowah)	Sanford
Doyle (Clark)	Lee (Houston)	Smith (Elmore)
Doyle (Marengo)	Lindsey	Smith (Franklin)
Dudley	Lovelady	Smith (Lee)
Edwards	Lyons	Steagall
Elrod	Mastin	Thompson
Foster	Moore	White (Lamar)
Fuller	McMillan	White (Perry)
Glover	Oliver	Woolf
Gunter		

—73.

On motion of Mr. Gunter, the bill, H. 1158, which was a special order for today, was postponed until the coming in of Senate bill 509, and said bill taking place of H. 1158 on the calendar.

H. 1150. To amend "An act to provide for the settlement, adjustment and refunding of the bonded indebtedness of municipal corporations."

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	Oliver
Armstrong	Edwards	Parker
Arnold	Elrod	Pearson
Avery	Fuller	Peete
Ballard (Autauga)	Haley	Pitts (Perry)
Ballard (Pike)	Hoffman	Powell (Bullock)
Baltzell	Jenkins	Powell (Covington)
Barton	Johnson	Pratt
Benners	Jones	Ragsdale
Benson	King	Rainer
Bloch	Kornegay	Rowe
Bulger	Lacy (Walker)	Sanders
Burney	Lancaster	Sanford
Cannon	Lee (Barbour)	Smith (Franklin)
Carmichael (Clay)	Lyons	Smith (Lee)
Cooper	Maner	Steagall
Crum	Moore	White (Perry)
Doyle (Clark)	McDuffie	

—55.

On motion of Mr. Lyons, the bill was ordered sent forthwith to the Senate without engrossment.

H. 1186. To provide for the publication of State papers, official records and of historical materials of the State of Alabama.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Ballard (Autauga)	Brown
Altman	Ballard (Pike)	Bulger
Armstrong	Barton	Burney
Arnold	Benners	Cannon
Avery	Benson	Coleman (Lowndes)

Coleman (Marshall)	Kornegay	Peete
Cooper	Lacy (Dallas)	Pitts (Dallas)
Cranford	Lancaster	Pitts (Perry)
Crum	Lawson	Powell (Bullock)
Doyle (Clark)	Lee (Barbour)	Powell (Covington)
Doyle (Marengo)	Lindsey	Ragsdale
Edwards	Long (Morgan)	Rowe
Elrod	Lovelady	Rushton
Foster	Moore	Sanford
Fuller	McCrory	Seale
Glover	McDuffie	White (Lamar)
Haley	McMillan	Williams
Kirby	Oliver	Woolf

—55.

On motion of Mr. Lancaster, the bill, H. 1186, was ordered sent forthwith to the Senate without engrossment.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following bills:

S. 500. To fix the time of holding courts in the Third judicial circuit of Alabama.

And sends same forthwith to the House without engrossment.

S. 435. To confer on the governing bodies of towns and cities which own and operate dispensaries in counties where no part or the net profits of such dispensaries are divided with the counties in which they are so owned and operated, the right, power and authority to give to such counties a part of the net profits of such dispensaries, not exceeding forty per cent thereof, to be used and expended by the governing bodies of such counties in the improvement of the public roads of such county or counties.

And sends same forthwith to the House without engrossment.

S. 467. To prescribe rules of practice and procedure in the circuit court of Montgomery county, and to define the powers of the judge of said court in reference thereto.

And sends same to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

AN ACT

To prescribe rules of practice and procedure in the county court of Montgomery county, and to define the powers of the judge of said court in reference thereto.

NOTICE.

To whom it may concern:

Notice is hereby given that when the Legislature of Alabama reconvenes in July, 1907, a bill will be introduced and an effort made to have it enacted into law as follows, to-wit:

Section 1. Be it enacted by the Legislature of Alabama, That in all civil cases commenced in the circuit court of Montgomery county by summons and complaint the defendant shall be required to appear and demur or plead to the complaint within thirty days after the service of the summons and complaint upon him whether such service be made in term time or vacation, and in all cases at law commenced by attachment the defendant shall appear and demur or plead within thirty days after the levy of the attachment and service of notice thereof, or in case the suit is against a non-resident or other persons upon whom service may be had by publication, within thirty days after service is perfected by such publication, and in all other cases at law the defendant must appear and plead or demur within thirty days after perfection of service upon him; and in all cases at law, whether commenced by summons and complaint, attachment or otherwise, any defendant failing for more than thirty days after service

has been perfected upon him to appear at any time thereafter, judgment by default, on motion of the plaintiff, may be rendered against him; provided, however, that the court may for good cause, allow such judgment so obtained by default to be set aside, and demurrers or pleas to be filed on such terms as the court may think just; but no application to set aside such judgment unless it be for some reversible error committed in the rendition thereof, shall be entertained by the court, unless accompanied by an affidavit by the defendant or his agent or attorney to the effect that in the belief of the affiant the defendant has a lawful defense to such suit; and provided further, that in suits brought by attachment the complaint shall be filed within ten days after perfection of service of process on defendant.

Sec. 2. That all garnishments issued from said court shall require an answer thereto within thirty days after the service thereof; and upon the failure of any garnishee to make answer within such thirty days he shall be deemed in default, and a judgment may be rendered against him upon motion of the plaintiff, if the plaintiff is otherwise entitled to such judgment nisi; and at any time after thirty days from service or notice of the rendition of the judgment nisi upon the garnishee, such judgment may be made absolute, or if notice of the rendition of such judgment nisi be returned "Not found," then a second notice thereof may immediately issue and at any time after thirty days from the service thereof, or from the same being returned "not found," the judgment may be made absolute; and unless otherwise ordered by the court all citations, rules, scire facias and notice issuing from said court shall require the party against whom they are issued to appear and plead within thirty days after the service thereof, or, if the citations or notices are to be given by publication within thirty days after perfection of service by publication, and all cases, whether commenced by summons and complaint, to be at issue and triable upon the appearance of the defendant, and his pleading to the plaintiff's complaint, petition or other pleading; or if

he does not appear within thirty days after the perfection of service upon him, at the end of such thirty days.

Sec. 3. That all original and mesne process, notices, citations and scire facias shall be executed instanter, and shall be returned immediately upon the execution thereof by the officer executing the same, and all executions, scire facias and venditioni exponas issuing from said court shall be made returnable ninety days after the issue thereof.

Sec. 4. That all civil cases brought by appeal or certiorari from justices of the peace or other inferior courts to said circuit court shall stand for trial when reached on the regular call of the docket at any time after thirty days from the service of notice of such appeal or certiorari shall have been given to the adverse party as required by law.

Sec. 5. That all cases at law in such court, whether commenced by summons and complaint, attachment or otherwise, the issues and questions of fact shall be tried by the court without the intervention of a jury, unless a jury be demanded by the plaintiff at the commencement of the suit, or by the defendant at the time he appears; or by any other person interested in such issue or question, at the time he appears; such demand must be made by the plaintiff, or party occupying the position of plaintiff, by endorsing the same in writing upon the summons and complaint, attachment, claim or paper filed by him for the purpose of instituting such suit, or when he intervenes without suing out process, upon the pleading or paper filed by him for the purpose of presenting such issue or question of fact; and by the defendant, or other party occupying the position of defendant, including garnishees, by endorsing such demand in writing upon the demurrer, plea, answer or other pleading filed by him; and when a cause is transferred to said court from the city court of Montgomery it shall be tried by the court without a jury, unless at the time of the application made for such transfer, a demand for trial by jury be made in writing and filed in said cause by the party at whose instance the removal is made, or unless such demand is made by the opposite party with-

in ten days after service of such removal; and in all civil cases, wherein the sum claimed exceeds twenty dollars, brought by appeal or certiorari from judgments of justices of the peace or other inferior tribunals, the issues and questions of fact shall be tried by the court without a jury, unless a demand for trial by jury be made in writing and filed in the cause by the party taking the appeal or certiorari, at the time he takes the same, or by the opposite party within ten days after he has been served with notice of the appeal or certiorari; and a failure to make demand for jury trial at the time and in the manner above required, shall be deemed and held a waiver of the right of trial by jury.

Sec. 6. That in the trial of any cause at law in said court, in addition to questions which may be under existing laws presented to the supreme court of the State for review, either party may by bill of exceptions, also present on appeal for review the conclusions and judgment of the court, including special findings upon the evidence, and the supreme court shall review the same without any presumption in favor of the court below, on the evidence, and in such case if they find that there is error, they shall render or reverse and remand the same for further proceedings, as the supreme court may deem right.

Sec. 7. That cases at law, both civil and criminal, that are now or may hereafter be pending in the city court of Montgomery may be by consent of the parties thereto transferred to the said circuit court, which court shall thereupon proceed and dispose of the same as if they had been originally instituted in said circuit court; and in like manner cases may be transferred from the circuit court to the city court of Montgomery by consent of the parties thereto, and the clerk of the court from which the cause shall be so transferred shall deliver all the papers, pleadings and evidence pertaining to said cause, together with a certified transcript of all minutes entries made therein to the clerk of the court to which said cause shall be transferred, together with a bill of the costs which have accrued; which shall be collected at the time and in the manner of the

collection of costs in such case in said court to which the case is transferred.

Sec. 8. That after ten days from the rendition of any judgment unless otherwise directed in said judgment, the clerk of said circuit court shall issue execution returnable as hereinbefore provided; provided, however, that nothing herein contained shall prevent any person from having execution issued within said ten days upon making affidavit, as now provided by law in relation to the issue of executions upon judgments in the circuit courts, and provided further, that nothing herein contained shall prevent the superceding of executions after the issue thereof, upon filing bonds as now required by law.

Sec. 9. That all bills of exceptions relating to the trial of civil and criminal causes in said court must be signed by the presiding judge of said court within thirty days after the day on which the issue or issues of fact to which said bill of exceptions relates, was tried, unless the time for signing such bill of exceptions is extended by agreement of parties or of their counsel, or by order of the presiding judge as now authorized by law respecting the signing of bills of exceptions in the circuit courts.

Sec. 10. That final judgments rendered in said court shall after the expiration of thirty days from their rendition, be taken and deemed as completely beyond the control of the court as if the term of said court at which the said judgment was rendered had ended at the end of the said thirty days; provided, however, that nothing herein contained shall prevent parties from applying for new trials or rehearing within said thirty days or destroy or change the effect of motions for new trials or rehearings, when so made, or shall prevent parties from applying to said court for a rehearing under the statute authorizing applications for rehearing in the circuit court or shall prevent the court from retrying any cause under sections 3341 and 3342 of the Code of Alabama, or shall prevent the court from the exercise of any power or jurisdiction conferred upon the circuit courts touching final judgments.

Sec. 11. That all witnesses in attendance upon said court must prove their attendance within five days after the termination of the trial of the cause in which they were subpoenaed or called to testify, and unless they can prove their attendance within that time their fee shall not be taxed as cost, nor shall they be recoverable against either party.

Sec. 12. That the judge of said circuit court shall have the power to make and adopt such other rules of practice and procedure as in his opinion may be required by a proper system of circuit court practice and to amend the same as may be expedient, such rules to be entered of record upon the minutes of said court, and the same may be changed, amended or annulled by the supreme court of this State.

Sec. 13. That none of the provisions of this act shall invalidate any of the proceedings had or acts already done in cases now pending in said circuit court.

Sec. 14. That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

The State of Alabama, }
Montgomery County. }

Before me, W. B. Davidson, a notary public in and for said county in said State, personally appeared Ben deLemos, who, being by me first duly sworn on oath, says, that he is editor and publisher of the "Alabama Outlook," a newspaper published in said county; that the foregoing notice has been published at least once a week for four (4) consecutive weeks, in said newspaper; that such publication was completed Saturday, June 15th, 1907.

Ben deLemos.

~~Sworn to and~~ subscribed before me on this 25 day of June, 1907.

W. B. Davidson,

Notary Public, Montgomery County, Ala.

S. 401. For the relief of J. L. Smith, an ex-confederate soldier, being a resident of Randolph county, Alabama. Whereas, J. L. Smith has long been on the pen-

sion rolls of Randolph county, Alabama, but for the year of 1906 his name was dropped from said rolls through mistake.

And sends same to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

A BILL

To be entitled an act for the relief of J. L. Smith, an ex-confederate soldier, being a resident of Randolph county, Alabama, will be introduced at the July session of the Legislature. Whereas, J. L. Smith has long been on the pension rolls of Randolph county, Alabama, but for the year 1906 his name was dropped from said rolls through mistake:

Section 1. Be it enacted by the Legislature of Alabama, That the State auditor be and he is hereby authorized and required to draw his warrant on the treasury of Alabama for thirty (\$30.00) dollars for said pensioner for the year 1906, to be paid out of any balance in the pension fund of the State by the treasurer of the State of Alabama.

Section 2. Be it further enacted, That the probate judge of Randolph county, Alabama, and the other pension officers of the State are hereby required to restore the name of said pensioner, J. L. Smith, to the pension rolls.

May 13, 1907.

J. L. Smith.

The State of Alabama, }
Randolph County. }

Personally appeared before me, John T. Kaylor, judge of probate in and for said county and State, Isaac L. Ballew, who first being duly sworn, states that he is editor and proprietor of the Randolph Star, that the publication hereto attached has been regularly made once a week for four consecutive weeks in the Randolph Star, a newspaper printed and published in the town of We-

dowee, State of Alabama. The first publication having been made on the 6 day of June, 1907.

I. L. Ballew.

Sworn and subscribed before me this 5 day of July, 1907.

John T. Kaylor,
Probate Judge.

S. 397. To fix the boundary line between the counties of Randolph and Cleburne and to define same.

And sends same to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

A BILL

To be entitled an act to fix the boundary line between the counties of Randolph and Cleburne and to define the same.

Section 1. Be it enacted by the Legislature of Alabama, That the boundary line between the counties of Randolph and Cleburne be and the same is hereby changed and located as follows: Beginning where the little Tallapoosa river crosses the present boundary line between section 35, township 17, range 12, in Cleburne county, and section 2, township 18, range 12, in Randolph county thence up said river to where it crosses the State line between Alabama and Georgia in section 5, township 18, range 13.

Section 2. Be it further enacted, That all that part of Cleburne county lying south of the said little Tallapoosa river and within the boundary described in section one of this act shall be and become a part of Randolph county; and that all that part of Randolph county lying north of the said little Tallapoosa river and within the boundary described in section one of this act shall be and become a part of Cleburne county.

Section 3. Be it further enacted, That the boundary line between the counties of Randolph and Cleburne shall be and remain the same as now established except of provided for in sections one and two of this act.

Section 4. Be it further enacted, That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

The State of Alabama, }
Cleburne County. }

Personally appeared before me, A. E. Carruth, judge of probate in and for Cleburne county, State of Alabama, Anderson Johnson, who being first duly sworn, states that he is the editor and proprietor of the Cleburne New Era, that the publication hereto attached has been regularly made once a week for four consecutive weeks in the Cleburne New Era, a newspaper printed and published in the town of Heflin, State of Alabama, the first publication having been made on the 8th day of June, 1907.

Anderson Johnson,
Editor and Publisher.

Sworn to and subscribed before me this 3 day of July, 1907. A. E. Carruth,
Judge of Probate of Cleburne County, State of Alabama.

A BILL

To be entitled an act to fix the boundary line between the counties of Randolph and Cleburne, and to define the same.

Section 1. Be it enacted by the Legislature of Alabama, That the boundary line between the counties of Randolph and Cleburne be and the same is hereby changed and located as follows: Beginning where the little Tallapoosa river crosses the present boundary line between section 35, township 17, range 12, in Cleburne county, and section 2, township 18, range 12, in Randolph county thence up said river to where it crosses the State line between Alabama and Georgia in section 5, township 18, range 13.

Section 2. Be it further enacted, That all that part of Cleburne county lying south of the said little Tallapoosa river and within the boundary described in section one of this act shall be and become a part of Randolph

county; and all that part of Randolph county lying north of the said little Tallapoosa river and within the boundary described in section one of this act shall be and become a part of Cleburne county.

Section 3. Be it further enacted, That the boundary line between the counties of Randolph and Cleburne shall be and remain the same as now established except of provided for in sections one and two of this act.

Section 4. Be it further enacted, That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

The State of Alabama, }
Randolph County. }

Personally appeared before me, John T. Kaylor, judge of probate in and for said county, State of Alabama, Isaac L. Ballew, who being first duly sworn, states that he is the editor and proprietor of The Randolph Star, that the publication hereto attached has been regularly made once a week for four consecutive weeks in the Randolph Star, a newspaper printed and published in the town of Wedowee, State of Alabama, the first publication having been made on the 4th day of April, 1907.

I. L. Ballew.

Sworn to and subscribed before me this — day of —, 1907.

John T. Kaylor,
Judge of Probate of Randolph County, State of Ala.

S. 400. To repeal an act approved February 13, 1897, entitled an act to regulate the sale of spirituous, vinous and malt liquors in the corporate limits of the town of Roanoke, Randolph county, Alabama.

And sends same to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill entitled an act will be introduced at the adjourned term, July, 1907, in the

Legislature of Alabama, to repeal an act, approved February 13th, 1897, entitled an act to regulate the sale of spirituous, vinous and malt liquors in the corporate limits of the town of Roanoke, in Randolph county, Alabama.

This, May 29th, 1907.

The State of Alabama, }
Randolph County. }

Personally appeared before me, J. W. Rodney, N. P., in and for said county and State, O. H. Stevens, who, being sworn, states that he is the editor of the Roanoke Leader; that the publication hereto attached has been regularly made once a week for four consecutive weeks in the Roanoke Leader, a newspaper printed and published in the town of Roanoke, State of Alabama, the first publication having been made on the 5th day of June, 1907.

O. H. Stevenson.

Sworn to and subscribed to before me this 8 day of July, 1907.

J. W. Rodney,
Notary Public.

S. 395. To amend an act entitled "An act to establish a charter for the town of Wedowee, Randolph county, Alabama," approved February 8, 1901.

And sends same to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

A BILL

To be entitled an act, to amend an act entitled "An act to establish a charter for the town of Wedowee, Randolph county, Alabama."

Section 1. Be it enacted by the Legislature of Alabama, That section 2 of an act to establish a charter for the town of Wedowee, Randolph county, Alabama, approved February 8, 1901, be and the same is hereby amended so as to read as follows: Section 2. Be it further enacted, That the corporate limits of said town of

Wedowee shall embrace and include the following territory, to-wit: Section three, and the north-half of the northwest quarter of the northeast quarter and the north half of the northeast quarter of the northwest quarter in section ten, all in township twenty, of range eleven, in Randolph county, Alabama.

The State of Alabama, }
 Randolph County. }

Personally appeared before me, John T. Kaylor, judge of probate in and for said county and State, Isaac L. Ballew, who first being duly sworn states that he is editor and proprietor of the Randolph Star, that the publication hereto attached has been regularly made once a week for four consecutive weeks in the Randolph Star, a newspaper printed and published in the town of Wedowee, State of Alabama. The first publication having been made on the 6 day of June, 1907. I. L. Ballew.

Sworn to and subscribed before me this 5 day of July, 1907.

John T. Kaylor.
 Probate Judge.

S. 396. To repeal an act approved December 13, 1900, entitled an act to establish, maintain and regulate a dispensary in the town of Roanoke, Randolph county, Alabama, for the sale of spirituous, vinous or malt liquors, ciders and other intoxicants and to establish a board of commissioners for the management of said dispensary and for other purposes.

And sends same to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill entitled an act will be introduced at the adjourned term, July, 1907, in the Legislature of Alabama, to repeal an act approved Dec. 13th, 1900, entitled an act to establish, maintain and regulate a dispensary in the town of Roanoke, Randolph

county, Alabama, for the sale of spirituous, vinous, malt liquors, cider and other intoxicants, and to establish a board of commissioners for the management of said dispensary and for other purposes.

This the 29th day of May, 1907.

The State of Alabama, }
 Randolph County. }

Personally appeared before me, J. W. Rodney, N. P., in and for said county and State, O. H. Stevenson, who, being sworn, states that he is the editor of the Roanoke Leader; that the publication hereto attached has been regularly made once a week for four consecutive weeks in the Roanoke Leader, a newspaper printed and published in the town of Roanoke, State of Alabama, the first publication having been made on the 5th day of June, 1907.

O. H. Stevenson.

Sworn to and subscribed to before me this 8th day of July, 1907.

J. W. Rodney,
 Notary Public.

S. 449. To pass a law to require the governor to send a State examiner of public accounts or some expert accountant to audit and examine into the accounts, and operations of all incorporated towns and cities in Dallas county operating public utilities.

And sends same to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama, when it meets in July for the passage of a law providing in substance that it shall be the duty of the governor, annually at least, upon request of the mayor, to send a State examiner of public accounts or some other expert accountant to audit and examine into the accounts, operation and so forth of all incorporated towns and cities in Dallas

county, operating public utilities, and to make a full and exhaustive report thereof to the mayor of said town or city, and to require such mayor to make such request.

The State of Alabama, }
County of Dallas. }

Before me, H. F. Reese, a notary public in and for said county and State, personally appeared R. E. L. Neil, who being by me first duly sworn deposes and says, that he is editor of the Selma Journal, a newspaper published in said county and State; that the notice hereinabove copied was published once a week for four consecutive and successive weeks in said newspaper, the first publication thereof being on, to-wit, the 20th day of May, 1907, and one publication thereof in each of the three weeks next thereafter. R. E. L. Neil.

Sworn to and subscribed before me this the 7th day of July, 1907.

H. F. Reese,
Notary Public D. Co., Ala.

S. 495. To create a board of education for the Huntsville school district of Madison county, Alabama; to provide for the election of their successors; to define the powers and duties of said board and to provide for the management, support and maintenance of the public schools of said district.

And sends same to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Is hereby given that at the adjourned term of the present session of the Legislature of Alabama, beginning July 9, 1907, substantially the following bill will be offered for passage:

AN ACT

To be entitled an act to create a board of education for the Huntsville school district of Madison county,

Alabama, to provide for the election of their successors, to define the powers and duties of said board and to provide for the management, support and maintenance of the public schools of said district.

1. Be it enacted by the Legislature of Alabama, That a board of education consisting of five members who are and shall be resident citizens of Huntsville, Alabama, qualified electors and householders and freeholders, shall be established for the Huntsville school district in Madison county, Alabama, composed of Paul Speake, W. I. Wellman, Jackson Rand, R. E. Pettus and James H. Pride and their successors in office; that said above named board shall have the power to select and elect their successors in office; that said board shall hold office until their successors are elected and qualified. Two members of said board of education shall hold office for two years, two others for four years, and one other for six years, those whose terms so expire to be chosen by lot. Each person elected by said board to supply vacancies, shall serve for four years or until his successor is elected and qualified; that said board of education shall serve without pay; that each of them shall, before he enters upon his duties as a member of said board of education, take an oath that he will faithfully to the best of his ability and in accordance with the law, discharge the duties devolving upon him as a member of said board during his term of office.

2. Be it further enacted that said board of education for said school district shall have exclusive power to elect teachers, to establish, regulate, control and conduct the public schools of the Huntsville district, and shall be capable and liable in law an equity to sue and be sued, plead and be impleaded, and shall have power to make such by laws and regulations for the government of their own body and for the election and pay of teachers, the admission of pupils and the conduct and control of public schools in the said school district as they may deem necessary, not inconsistent with the constitution and laws of the State; but separate schools shall be

maintained for the white and colored children, and all teachers employed shall have license from the State board examiners. It shall be within the power of said board of education to say what grade certificate shall be required of the teachers in said school district. Said board shall cause all the children of school age in said district to be enumerated and reported biennially as district trustees are required to do, and said board shall have power to appoint a treasurer and fix his bond, and to appoint such other officers and agents, as they may deem necessary to carry into effect the powers herein granted and to prescribe the duties and powers of such officers and agents.

3. Be it further enacted, That the board of education for the Huntsville district shall have power to take subscriptions and receive donations, rent and receive lands and buildings in said city for school purposes, and to furnish such buildings and to keep them in repair.

4. Be it further enacted, That the board of education shall have power in the event that the mayor and aldermen of the city of Huntsville shall not sufficiently supplement the State fund in the hands of the board, to require prepayment of a supplemental fee by each pupil, not to exceed fifty cents per month, to meet the expenses of said school; also to establish a high school for the teaching of the higher branches of education and to fix and to collect such tuition fees in the high school as may be deemed necessary in the event that the mayor and aldermen of the city of Huntsville shall not sufficiently supplement the State fund in the hands of the board, in addition to the fees and income to be derived from other sources, to carry on said high school.

5. Be it further enacted, That said board of education shall receive annually its proportionate share of the State and county educational funds coming to Madison county, and shall receive all taxes collected as poll tax within said district; and the corporate authorities of the city of Huntsville may appropriate annually out of the revenues of said city such sums as they may determine for the use and maintenance of the public schools in said district. All revenues of said district

shall be paid to the treasurer of said board and shall be disbursed by him under the directions of said board, in the same manner that county superintendents of education draw and disburse school funds, and the treasurer shall make such reports as county superintendents of education are required to make and such as the said board of education may require.

6. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

The State of Alabama, }
Madison County. }

Before me, Janie Davidson, a notary public, in and for said county and State, personally appeared R. L. O'Neal, Jr., who being by me first duly sworn, deposed and said: That he is secretary and business manager of the Weekly Mercury, a newspaper published in the city of Huntsville, county of Madison, State of Alabama; and that the following notice of intention to apply for a local law has been published in the Weekly Mercury for four successive weeks, to-wit: on the 5, 12, 19 and 26th days of June, 1907, respectively.

R. L. O'Neal, Jr.,
Secretary and Business Manager.

Sworn to and subscribed before me, this 8th day of
July, 1907. Janie Davison,

Notary Public.

And has passed the following House bills:

H. 827. For the relief of Mrs. Leanna J. Humble, a resident of DeKalb county, indigent widow of David Humble, who was a confederate soldier and citizen of DeKalb county, Alabama, at the time of his death, making her a confederate pensioner under the act of the General Assembly of Alabama, approved the 10th day of February, 1899, and entitled, "An act for the relief of needy confederate soldiers, and sailors, resident citizens of Alabama, and their widows."

H. 828. To alter and rearrange the boundaries of the town of Newburne in Hale county, Alabama.

H. 829. To further regulate the fine and forfeiture fund of Hale county, Alabama.

H. 384. To repeal an act entitled "an act to incorporate the Trulian Club," approved March 2, 1901.

H. 607. To prevent the sale of intoxicating liquors within certain limits in the corporate limits of the city of Talladega and to punish violations of the same.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message, were read one time and referred to appropriate standing committees as follows:

Judiciary, S. 500. S. 467.

Temperance, S. 409, S. 396, S. 435.

Appropriations, S. 401.

County and County Boundaries, S. 397.

Municipal Organization, S. 395.

Revision of Laws, S. 449.

Education, S. 495.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills have examined the following joint resolution and beg leave to report the same correctly enrolled:

H. J. R. 255. Joint resolution relative to the election of United States Senator.

J. A. Williams, Chairman.

SIGNING RESOLUTION.

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present,

signed the resolution, the title to which is set out in the above and foregoing report from the standing committee on Enrolled Bills.

JOINT CONVENTION FOR THE ELECTION OF UNITED STATES SENATOR.

The hour of twelve o'clock m. having arrived, when in pursuance of a joint resolution heretofore adopted, the Senate of Alabama should convene with the House of Representatives in joint convention in the Hall of the House of Representatives for the purpose of ascertaining the result of the balloting on yesterday, July the sixteenth, for a Senator to represent the State of Alabama in the Congress of the United States, to fill out the unexpired term of the late John Tyler Morgan, and in case no objection had been made to proceed with such election, the Senate met with the House in the Hall of the House of Representatives.

The joint convention was called to order by the President of the Senate, who directed the secretary of the Senate to call the roll of the Senate, whereupon the following Senators answered to their names, being a majority of the Senate of Alabama, viz.:

Messrs:—

Barbour	Hamner	Lusk	Reynolds
Bayles	Hayes	Merritt	Spragins
Blackmon	Heacock	Miller	Strother
Doster	Hinson	Moody	Teasley
Forrester	Horton	McWhorter	Thomas
Gardner	Jones	Overton	Wilson
Glenn	King	Reese	White
Gunn	Leith	Reid	Wimberly
Hamburger	Lowe		

—34.

The Speaker of the House then directed the clerk of the House to call the roll of the House of Representatives, whereupon the following Representatives answer-

ed to their names, being a majority of the House of Representatives of Alabama, viz.:

Messrs:—

Speaker	Goodwyn	Norville
Alford	Gunter	Oliver
Altman	Haley	Parker
Armstrong	Henlev	Pearson
Arnold	Hoffman	Peete
Arrington	Jenkins	Pitts (Dallas)
Avery	John	Pitts (Perry)
Ballard (Autauga)	Johnson	Powell (Bullock)
Ballard (Pike)	Jones	Powell (Covington)
Baltzell	Killen	Pratt
Barton	King	Price
Benners	Kirby	Ragsdale
Benson	Kornegay	Rainer
Bloch	Lacy (Dallas)	Rattray
Brown	Lacy (Walker)	Rushton
Bulger	Lancaster	Sample
Burney	Lawson	Sanford
Cannon	Lee (Barbour)	Sherrod
Carmichael (Clay)	Lee (Etowah)	Smith (Elmore)
Coleman (Lowndes)	Lee (Houston)	Smith (Etowah)
Coleman (Marshall)	Lindsey	Smith (Franklin)
Cooper	Lovelady	Smith (Lee)
Cranford	Lyons	Tunstall
Crum	Malone	Turner
Doyle (Marengo)	Maner	Vann
Dudley	Mastin	Weaver
Edwards	Mitchell	White (Lamar)
Elrod	Moore	White (Perry)
Foster	McCrary	Williams
Fuller	McDuffie	Woolf
Glover	McMillan	

The Secretary of the Senate then proceeded to read the journal of the Senate of yesterday, from which it appeared that John H. Bankhead, of Fayette county, Alabama, received twenty-nine (29) for Senator to rep-

resent the State of Alabama in the Congress of the United States for the unexpired term of the late John Tyler Morgan.

The clerk of the House of Representatives then proceeded to read the journal of the House of Representatives of yesterday, from which it appeared that John H. Bankhead, of Fayette county, Alabama, received eighty-nine (89) votes for Senator to represent the State of Alabama in the Congress of the United States for the unexpired term of the late John Tyler Morgan.

The President of the Senate then announced that John H. Bankhead, of Fayette county, Alabama, having received a majority of all the votes cast in each House of the Legislature of Alabama, for Senator to represent the State of Alabama in the Congress of the United States to fill out the unexpired term of the late John Tyler Morgan, he declared him to be duly and constitutionally elected a Senator from the State of Alabama to the Congress of the United States for the unexpired term of the late John Tyler Morgan.

The President of the Senate then announced that the purpose of the joint session of the two Houses having been accomplished, the same was dissolved, and the Senate repaired to its chamber.

H. 781. To prohibit the running of freight trains on the Sabbath day and to provide a penalty for its violation.

Was taken up . On motion of Mr. Sample, the bill was laid upon the table.

Mr. Long, of Butler, gave notice that on tomorrow he would move to take the bill, H. 781, from the table.

ADJOURNMENT.

The hour of one o'clock having arrived, under the rules the House adjourned until 3 o'clock p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Fuller	Mitchell
Alford	Glover	Moore
Altman	Goodwyn	McCrary
Armstrong	Gunter	McDuffie
Arnold	Haley	McMillan
Arrington	Henley	Norville
Avery	Hoffman	Oliver
Ballard (Autauga)	Hughston	Parker
Ballard (Pike)	Jenkins	Pearson
Baltzell	John	Peete
Barton	Johnson	Pitts (Dallas)
Benners	Jones	Pitts (Perry)
Benson	Killen	Powell (Bullock)
Bloch	King	Powell (Covington)
Brown	Kirby	Power
Bulger	Kornegay	Pratt
Burney	Lacy (Dallas)	Ragsdale
Cannon	Lacy (Walker)	Rainer
Carmichael (Clay)	Leicester	Rattray
Coleman (Lowndes)	Lawson	Rice
Coleman (Marshall)	Lee (Barbour)	Rowe
Cooper	Lee (Houston)	Rushton
Cranford	Lindsey	Sample
Crum	Leng (Butler)	Sanders
Doyle (Clark)	Lovelady	Sanford
Doyle (Marengo)	Lyons	Sherrod
Dudley	Malone	Smith (Elmore)
Edwards	Maner	Smith (Etowah)
Elrod	Mastin	Smith (Franklin)
Foster	Middleton	Smith (Lee)

Steagall	Turner	White (Lamar)
Thompson	Vann	White (Perry)
Tunstall	Weaver	Woolf

—100.

A quorum was present.

PRIVILEGES OF THE FLOOR.

Were extended to Hon. D. C. Almon, of Decatur, for the afternoon.

REPORT OF ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bills:

H. 1079. To impose a tax of one dollar a year on each dog in the county of Montgomery, State of Alabama, over four months of age, and to provide for the collection of such tax and to provide that all live stock killed or injured and all damages done thereto shall be paid for out of the dog tax fund, and to provide that the surplus left in the dog tax fund on the first day of March of each year shall be paid into the public school fund of said county.

H. 925. To provide for the working of the public roads of Hale county, Alabama, for levying tax for same and how same shall be expended.

H. 939. To adopt a Code of laws for the State of Alabama.

H. 963. To authorize the Lee county court of law and equity to revive and enforce judgments, decrees, orders and proceedings entered prior to July 1st, 1907, in the circuit, chancery and county courts of Lee county.

H. 1032. To provide for an efficient shorthand reporter for the Thirteenth judicial circuit; to prescribe the qualifications, term of office and duties of such reporter and to fix his compensation and fees.

H. 935. To amend section 22 of an act entitled an act to establish the city court of Bessemer.

H. 565. To confer upon foreign municipal corporations of adjoining States the power and authority to acquire, own, take and dispose of property in the State of Alabama, for the purpose of procuring water in this State for a municipal water supply; and also to confer upon such municipalities the power to contract to furnish a supply of water to any town, city or municipality of this State.

H. 1000. To repeal an act entitled, "An act to regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama, approved February 15th, 1897.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following bill:

S. 541. To appropriate the sum of fifty thousand dollars to defray the expenses incurred and to be incurred in connection with the railroad rate litigation now pending, or which may hereafter be instituted, between the various railroads of Alabama and the railroad commission.

And sends same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The bill, the title to which is set out in the above and foregoing Senate message, was read one time and referred to the standing committee as follows:

Appropriations, S. 541.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended as therein shown and as amended has passed House bill:

H. 135. To prohibit the shipment, transportation, delivery or the soliciting of orders for the sale of any spirituous, vinous, malt or intoxicating liquors, beverages or bitters into any prohibition district in the State of Alabama.

And returns same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Sherrod, the House concurred in the Senate amendment to the bill, H. 135, said Senate amendment being as follows:

A BILL

To be entitled an act, to prohibit the shipment, transportation, delivery or the soliciting of orders for the sale of any spirituous, vinous, malt or intoxicating liquors, beverages or bitters into any prohibition district in the State of Alabama.

Be it enacted by the Legislature of Alabama:

Sec. 1. It shall be unlawful for any person, firm or corporation to accept for shipment, transportation or delivery, any spirituous, vinous, malt or intoxicating liquors, beverages or bitters to any person, firm or corporation in any prohibition district in the State of Alabama, or at any point or place in said State where the sale of spirituous, vinous, malt or intoxicating liquors, beverages or bitters are prohibited by law.

Sec. 2. It shall be unlawful for any person, firm or corporation to deliver any spirituous, vinous, malt or intoxicating beverages or bitters, the sale of which is prohibited by law, within any prohibition district in the State of Alabama, except as may be authorized by this act, or the interstate laws of the United States.

Sec. 3. It shall be unlawful for any person, firm or corporation to go into any prohibition district and there solicit orders for the sale or delivery of any spirituous, vinous, malt or intoxicating liquors, beverages or bitters, the sale of which are prohibited by law, whether the same are to be shipped from any point within or without the State of Alabama.

Sec. 4. No provision of this act is intended or shall be construed to violate or be in conflict with any provision of the interstate laws of the United States; nor is it intended, nor shall any provision of this act be construed so as to prevent or prohibit individuals from bringing into prohibition districts upon their persons, or as their personal baggage, for their private use, such liquors, beverages or bitters, included within this act, in quantities not to exceed one gallon, nor shall the provisions of this act apply to licensed physicians or druggists to whom any public carrier may deliver pure grain alcohol in unbroken packages, in quantities not to exceed five gallons at any one time.

Sec. 5. A prohibition district within the meaning of this act is any district or territory within the State of Alabama in which the sale of spirituous, vinous, malt or intoxicating liquors, beverages or bitters is prohibited by law.

Sec. 6. Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars, and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than six months.

Sec. 7. The provisions of this act shall be effective on and after January 1st, 1908.

Sec. 8. If any section or provisions of this act shall be held to be void or unconstitutional, it shall not affect or destroy the validity or constitutionality of any other section or provision of said act which is not of itself void or unconstitutional.

Sec. 9. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Yeas, 65 ;nays, 3.

Yeas:**Messrs:—**

Speaker	Gunter	Oliver
Altman	Haley	Pearson
Armstrong	Henley	Peete
Arnold	Jenkins	Pitts (Dallas)
Ballard (Autauga)	John	Pitts (Perry)
Ballard (Pike)	Johnson	Powell (Bullock)
Barton	Jones	Pratt
Benners	Killen	Price
Bloch	Kirby	Ragsdale
Burney	Kornegay	Rainer
Cannon	Lacy (Walker)	Rushton
Carmichael (Clay)	Lancaster	Sample
Coleman (Marshall)	Lawson	Sanders
Cooper	Lee (Barbour)	Sanford
Cranford	Lee (Houston)	Sherrod
Crum	Lindsey	Smith (Elmore)
Doyle (Clark)	Lovelady	Smith (Lee)
Doyle (Marengo)	Mitchell	Steagall
Elrod	Moore	Thompson
Foster	McCrary	Tunstall
Fuller	McDuffie	Weaver
Glover	McMillan	White (Lamar)

—65.

Nays:**Messrs:—**

Hoffman	Parker	Rattray
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—3.

MESSAGE FROM THE SENATE.**Mr. Speaker:**

The Senate has originated and adopted the following joint resolution:

S. J. R. 67. Resolved by the Senate, the House of Representatives concurring, that when the Legislature adjourn on July 18th, it be to meet July 22nd.

And has concurred in House joint resolution:

H. J. R. 266. Relative to the employment of a stenographer for the joint committee, appointed to investigate the conduct of the Alabama Insane Hospital.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The S. J. R. No. 67, set out in the above and foregoing Senate message, was read one time and referred to the standing committee on Rules.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following resolutions with a favorable report as amended: H. R. 254, 256, 259 268, and 269.

And the resolutions as amended were adopted.

By Mr. Sherrod:

H. R. No. 258. Resolved, that the rules of the House be so amended as to make the hour of opening the morning session at 9 a. m. instead of 8:30 a. m.

And the resolution was placed upon the calendar.

The following resolution was returned with an adverse report: H. R. 260.

BILLS ON THIRD READING.

H. 1194. To establish, maintain and regulate a dispensary in the city of Uniontown, Perry county, Alabama, for the sale of spirituous, or vinous liquors or malt liquors, wines, ciders or other intoxicating liquors and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous, or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors, to provide for the distribution of the profits from the sale of said liquors in said dispensary between said city and said county, and for other purposes.

Was taken up. Mr. Pitts, of Perry, offered the following amendment to the bill:

Amend the bill by adding the following section:

Section 18. That in the event any election is held in the county of Perry prior to October 1st, 1907, whereby the said county goes for prohibition then, in that event, the mayor and council of the town of Uniontown shall

not pay any portion of such revenue in the county treasury.

And the amendment was adopted .

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Killen	Fitts (Perry)
Altman	Kirby	Powell (Bullock)
Armstrong	Kornegay	Powell (Covington)
Ballard (Autauga)	Lacy (Walker)	Price
Ballard (Pike)	Lancaster	Rainer
Benners	Lawson	Ratray
Benson	Lee (Barbour)	Rushton
Bloch	Lee (Houston)	Sanders
Carmichael (Clay)	Lovelady	Sanford
Cooper	Mitchell	Sherrod
Doyle (Clark)	Moore	Smith (Franklin)
Doyle (Marengo)	McCrory	Smith (Lee)
Foster	McDuffie	Tunstall
Gunter	McMillan	Turner
Haley	Norville	Vann
Hoffman	Oliver	Weaver
Hughston	Parker	White (Lamar)
John	Pitts (Dallas)	White (Perry)
Jones		

—55.

And the bill:

H. 1194. To establish, maintain and regulate a dispensary in the city of Uniontown, Perry county, Alabama, for the sale of spirituous or vinous liquors or malt liquors, wines, ciders or other intoxicating liquors, and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors; to provide for the distribution of the profits from the sale of said liquors in said dispensary between said city and said county, and for other purposes.

As amended, was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:**Messrs:—**

Speaker	Jones	Pitts (Dallas)
Altman	Killen	Pitts (Perry)
Armstrong	Kirby	Powell (Bullock)
Ballard (Autauga)	Kornegay	Price
Ballard (Pike)	Lacy (Walker)	Rainer
Benners	Lancaster	Rattray
Benson	Lawson	Rushton
Bloch	Lee (Barbour)	Sanders
Carmichael (Clay)	Lee (Houston)	Sanford
Cooper	Lovelady	Sherrod
Doyle (Clark)	Mitchell	Smith (Franklin)
Doyle (Marengo)	Moore	Smith (Lee)
Foster	McCrary	Tunstall
Gunter	McDuffie	Turner
Haley	McMillan	Vann
Hoffman	Norville	Weaver
Hughston	Oliver	White (Lamar)
John	Parker	White (Perry)

—55.

REPORT OF COMMITTEE ON ENROLLED BILLS.**Mr. Speaker:**

Your committee on Enrolled Bills have examined the following House bills and beg leave to report the same correctly enrolled:

H. 828. An act to alter and rearrange the boundaries of the town of Newburne, in Hale county, Alabama.

H. 829. An act to further regulate the fine and forfeiture fund of Hale county, Alabama.

H. 384. An act to repeal an act entitled "An act to incorporate the Trullan Club," approved March 2, 1901.

H. 607. An act to prevent the sale of intoxicating liquors within certain limits of the city of Talladega and to punish violations of the same.

H. 827. An act for the relief of Mrs. Leonna J. Humble, a resident of DeKalb county, indigent widow of David Humble, who was a confederate soldier, and a citizen of DeKalb county, Alabama, at the time of his death, making her a confederate pensioner under the

act of the General Assembly of Alabama, approved the 10th day of Feb. 1899, and entitled "An act for the relief of needy confederate soldiers, and sailors, resident citizens of Alabama, and their widows.

J. S. Williams, Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the standing committee on Enrolled Bills.

RESOLUTIONS.

The following resolutions were introduced and referred to the committee on Rules:

By Mr. Ballard, of Autauga:

H. R. 274. Resolved, that S. B. 344, "To further regulate opening, closing, keeping and selling or giving away spirituous, vinous or malt liquors under a license for operating saloons in the State of Alabama, and to punish violations thereof," be made a special, paramount and continuing order for Thursday, July 18th.

By Mr. Pitts, of Dallas:

H. R. 275. Resolved, that H. B. No. 1303, relative to amending sub-division of section 1377 of the civil Code relating to the compensation of sheriffs for ex-officio services, be made a paramount, special and continuing order for Thursday, July 18th, 1907.

By Mr. Rushton:

H. R. 276. Resolved, that H. B. 1233, be made a paramount, special and continuing order for 10 o'clock Friday, July 19th, 1907. Relates to carrying of fire-arms.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following resolution with a favorable report:

Rules Committee:

H. R. 277. Resolved, that all revenue bills which are under favorable report on the calendar shall be made special orders for Friday next immediately after the report from the standing committees and shall be taken up in the order indicated by the chairman of the Ways and Means committee.

And the resolution was adopted.

Mr. John, from the Rules committee, also returned to the House the S. J. R. 67, relative to adjournment of the two Houses from Thursday until Monday, with the following amendment: That when the Legislature adjourns on July 17th, it be to meet at the usual hour on Friday, July 19th, 1907.

And the amendment was adopted. And the resolution as amended was concurred in.

RESOLUTIONS.

The following resolutions were introduced and referred to the committee on Rules:

By Mr. Bulger:

H. R. 278. Resolved, that at all sessions after the present session, when the roll of counties is called, each member will be authorized to call up for passage a local or general bill.

By Mr. Peete:

H. R. 279. Resolved, that H. B. 144, To amend article 1, chapter 109 of the Code of Alabama of 1896, be made a special, paramount order for July 22, 1907.

BILLS ON THIRD READING.

H. 1196. To amend section thirteen of an act to establish, maintain and regulate a dispensary in the town of Marion, Perry county, Alabama, for the sale of spirituous or vinous liquors, malt liquors, wines, ciders, or other intoxicating liquors and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors and for other purposes, approved February 28, 1901.

Was taken up. Mr. Pitts, of Perry, offered the following amendment to the bill:

Amend the bill by adding the following section:

Section —. That in the event any election is held in the county of Perry prior to October 1st, 1907, whereby the said county goes for prohibition then, in that event, the mayor and council of the town of Marion shall not pay any portion of such revenue in the county treasury.

And the amendment was adopted.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Jones	Pitts (Dallas)
Altman	Killen	Pitts (Perry)
Armstrong	Kirby	Powell (Bullock)
Ballard (Autauga)	Kornegay	Powell (Covington)
Ballard (Pike)	Lacy (Walker)	Price
Benners	Lancaster	Rainer
Benson	Lawson	Rattray
Bloch	Lee (Barbour)	Rushton
Carmichael (Clay)	Lee (Houston)	Sanders
Cooper	Lovelady	Sanford
Doyle (Clark)	Mitchell	Sherrod
Doyle (Marengo)	Moore	Smith (Franklin)
Foster	McCrary	Smith (Lee)
Gunter	McDuffie	Tunstall
Haley	McMillan	Turner
Hoffman	Norville	Vann
Hughston	Oliver	White (Lamar)
John	Parker	White (Perry)

And the bill:

H. 1196. To amend section thirteen of an act to establish, maintain and regulate a dispensary in the town of Marion, Perry county, Alabama, for the sale of spirituous or vinous liquors, malt liquors, wines, ciders, or other intoxicating liquors and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors and for other purposes, approved February 28, 1901.

As amended, was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Killen	Pitts (Perry)
Altman	Kirby	Powell (Bullock)
Armstrong	Kornegay	Powell (Covington)
Ballard (Autauga)	Lacy (Walker)	Rainer
Ballard (Pike)	Lancaster	Rattray
Benners	Lawson	Rushton
Benson	Lee (Houston)	Sanders
Bloch	Lindsey	Sanford
Carmichael (Clay)	Lovelady	Sherrod
Cooper	Mitchell	Smith (Franklin)
Doyle (Clark)	Moore	Smith (Lee)
Doyle (Marengo)	McCrary	Tunstall
Foster	McDuffie	Turner
Gunter	McMillan	Vann
Haley	Norville	Weaver
Hoffman	Oliver	White (Lamar)
Hughston	Parker	White (Perry)
John	Pitts (Dallas)	Woolf
Jones		

—55.

H. 1197. To provide for an election in Perry county, Alabama, to determine whether spirituous, vinous and malt liquors shall be sold in said county after October 15th, 1907; to provide for holding said election and for other purposes.

Was taken up. Mr. White, of Perry, offered the following amendment to the bill:

Amendment to H. B. 1197:

Amend by striking from the caption and wherever they appear in the body of the bill, the words "October 15th, 1907," and insert in lieu thereof the words "January 1st, 1909." Amend further: Strike out section 13.

And the amendment was adopted.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Jones	Pitts (Perry)
Altman	Killen	Fowell (Bullock)
Armstrong	Kirby	Powell (Covington)
Ballard (Pike)	Kornegay	Rattray
Ballard (Pike)	Lacy (Walker)	Rowe
Benners	Lancaster	Rushton
Benson	Lawson	Sanders
Bloch	Lee (Houston)	Sanford
Carmichael (Clay)	Lindsey	Sherrod
Cooper	Lovelady	Smith (Franklin)
Crum	Mitchell	Smith (Lee)
Doyle (Clark)	Moore	Tunstall
Doyle (Marengo)	McCrory	Turner
Foster	McDuffie	Vann
Gunter	McMillan	Weaver
Haley	Norville	White (Lamar)
Hoffman	Oliver	White (Perry)
Hughston	Parker	Woolf
John	Peete	

—55.

And the bill:

H. 1197. To provide for an election in Perry county, Alabama, to determine whether spirituous, vinous and malt liquors shall be sold in said county after October 15th, 1907; to provide for holding said election and for other purposes.

As amended, was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:**Messrs:—**

Speaker	Killen	Pitts (Perry)
Altman	Kirby	Powell (Bullock)
Armstrong	Kornegay	Powell (Covington)
Ballard (Autauga)	Lacy (Walker)	Price
Ballard (Pike)	Lancaster	Rainer
Benners	Lawson	Rattray
Benson	Lee (Barbour)	Rushton
Bloch	Lee (Houston)	Sanders
Carmichael (Clay)	Lovelady	Sanford
Cooper	Mitchell	Sherrod
Doyle (Clark)	Moore	Smith (Franklin)
Doyle (Marengo)	McCrory	Smith (Lee)
Foster	McDuffie	Tunstall
Gunter	McMillan	Turner
Haley	Norville	Vann
Hoffman	Oliver	Weaver
Hughston	Parker	White (Lamar)
John	Pitts (Dallas)	White (Terry)
Jones		

—55.

H. 427. To appropriate ten thousand dollars to the Plantersville high school at Plantersville, Dallas county, Alabama.

Was taken up. The question was upon the adoption of the substitute reported by the standing committee on Appropriations, said substitute being as follows:

Substitute for H. B. 427:

A BILL

To be entitled an act, to appropriate four thousand dollars to the Plantersville high school, at Plantersville, Dallas county, Alabama; and to provide that the governor of Alabama be ex-officio president of the board of trustees, and that the superintendent of education of Alabama be ex-officio a member of the board of trustees, and to provide for the appointment by the governor of five other trustees.

Section 1. Be it enacted by the Legislature of Alabama, That the sum of four thousand dollars be and is hereby appropriated to the Plantersville high school, at Plantersville, Dallas county, Alabama, out of any money in the State treasury not otherwise appropriated.

Section 2. That the governor of the State of Alabama be and is hereby made ex-officio president of the board of trustees, and that the superintendent of education of Alabama is made ex-officio a member of the board of trustees.

Section 3. That the governor of the State of Alabama is hereby authorized to appoint five additional trustees, who shall hold their term of office for four years from the date of their appointment, and until their successors are appointed and qualified, which trustees shall be appointed from the counties of Dallas and Chilton and Autauga.

And the substitute was adopted.

Yeas, 67; nays, 7.

Yeas:

MESSRS:—

Speaker	Doyle (Marengo)	Lee (Houston)
Alford	Dudley	Lindsey
Altman	Edwards	Lovelady
Armstrong	Foster	Lyons
Arnold	Glover	Malone
Arrington	Goodwyn	Middleton
Ballard (Autauga)	Gunter	Mitchell
Baltzell	Haley	McDuffie
Benners	Henley	McMillan
Bloch	Loffman	Norville
Brown	Jenkins	Parker
Burney	John	Peete
Cannon	Jones	Pitts (Dallas)
Carmichael (Clay)	Kirby	Pitts (Perry)
Coleman (Marshall)	Kornegay	Powell (Bullock)
Cooper	Lacy (Dallas)	Price
Cranford	Lacy (Walker)	Rainer
Crum	Lancaster	Lattray
Doyle (Clark)	Lawson	Rowe

Sample	Tunstall	White (Lamar)
Sanford	Turner	White (Perry)
Smith (Elmore)	Weaver	Woolf
Smith (Franklin)		

—67.

Nays:
Messrs:—

Benson	Oliver	Sanders
Bulger	Rushton	Sherrod
Killen		

—7.

And the bill:

H. 427. To appropriate ten thousand dollars to the Plantersville high school at Plantersville, Dallas county, Alabama.

As amended by the substitute, was read a third time, at length and passed.

Yeas, 67; nays, 7.

Yeas:

Messrs:—

Speaker	Doyle (Marengo)	Lee (Houston)
Alford	Dudley	Lindsey
Altman	Edwards	Lovelady
Armstrong	Foster	Lyons
Arnold	Glover	Maner
Arrington	Goodwyn	Middleton
Ballard (Autauga)	Gunter	Mitchell
Baltzell	Haley	McDuffie
Benners	Henley	McMillan
Bloch	Hoffman	Norville
Brown	Jenkins	Parker
Burney	John	Peete
Cannon	Jones	Pitts (Dallas)
Carmichael (Clay)	Kirby	Pitts (Perry)
Coleman (Marshall)	Kornegay	Powell (Bullock)
Cooper	Lacy (Dallas)	Price
Cranford	Lacy (Walker)	Rainer
Crum	Lancaster	Rattray
Doyle (Clark)	Lawson	Rowe

Sample	Tunstall	White (Lamar)
Sanford	Turner	White (Perry)
Smith (Elmore)	Weaver	Woolf
Smith (Franklin)		

—67.

Nays:

Messrs:—

Benson	Oliver	Sanders
Bulger	Rushton	Sherrod
Killen		

—7.

On motion of Mr. Gunter, Senate bill No. 375, which had been reported adversely by the standing committee on Municipal Organization, was recommitted to the standing committee on Municipal Organization.

BILLS ON THIRD READING.

H. 923. To provide that all confederate soldiers, sailors and their widows, who are now drawing a pension and who are over the age of ninety years, shall be entitled to and receive a pension of the first class.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Appropriations, said amendment being as follows:

Amend the bill by striking out the word "ninety" wherever the same occurs in said bill, and insert in lieu thereof the word "eighty."

And the amendment was adopted.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Crum
Alford	Bulger	Doyle (Clark)
Altman	Burney	Doyle (Marengo)
Ballard (Autauga)	Cannon	Edwards
Baltzell	Coleman (Lowndes)	Foster
Barton	Coleman (Marshall)	Glover
Benners	Cooper	Goodwyn
Bloch	Cranford	Gunter

Haley	Maner	Powell (Bullock)
Jones	Middleton	Price
Killen	Mitchell	Rainer
King	Moore	Ratray
Kirby	McCrory	Rushton
Lacy (Dallas)	McDuffie	Sample
Lancaster	McMillan	Sanders
Lawson	Oliver	Sherrod
Lee (Houston)	Parker	Steagall
Long (Butler)	Peete	Tunstall
Lovelady	Pitts (Dallas)	Weaver
Malone	Pitts (Perry)	White (Lamar)

—60.

And the bill:

H. 923. To provide that all confederate soldiers, sailors and their widows, who are now drawing a pension and who are over the age of ninety years, shall be entitled to and receive a pension of the first class.

As amended, was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Doyle (Clark)	Middleton
Alford	Doyle (Marengo)	Mitchell
Altman	Edwards	Moore
Arrington	Foster	McCrory
Ballard (Autauga)	Glover	McDuffie
Ballard (Pike)	Goodwyn	McMillan
Barton	Gunter	Oliver
Benners	Haley	Parker
Bloch	Hoffman	Pearson
Brown	Kirby	Peete
Burney	Kornegay	Pitts (Dallas)
Cannon	Lancaster	Pitts (Perry)
Carmichael (Clay)	Lawson	Powell (Bullock)
Coleman (Marshall)	Lee (Barbour)	Pratt
Cooper	Lee (Houston)	Ragsdale
Crum	Malone	Rainer

Rattray	Sherrod	Smith (Franklin)
Rushton	Sanford	Tunstall
Sanders	Smith (Etowah)	White (Lamar)

—58.

H. 1099. To amend section 3 of an act entitled "An act to establish a separate school district in Clarke county, Alabama, to be known as the Grove Hill school district, and to provide for the maintenance of the same," approved March 4th, 1901.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Moore
Altman	Goodwyn	McCrory
Arnold	Gunter	McDuffie
Avery	Hailey	McMillan
Ballard (Autauga)	Fenley	Norville
Ballard (Pike)	Hoffman	Oliver
Barton	Hughston	Parker
Benness	John	Pitts (Dallas)
Benson	Jones	Pitts (Perry)
Bloch	Kirby	Powell (Covington)
Brown	Kornegay	Pratt
Burney	Lacy (Dallas)	Price
Cannon	Lacy (Walker)	Ragsdale
Coleman (Lowndes)	Lee (Barbour)	Rainer
Coleman (Marshall)	Lee (Houston)	Rattray
Cooper	Lindsey	Rowe
Cranford	Lyons	Rushton
Doyle (Clark)	Maner	Sample
Doyle (Marengo)	Mastin	Sanford
Edwards	Middleton	Smith (Etowah)
Foster	Mitchell	Tunstall

—63.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bills:

H. 656. To create and establish the Marengo law and equity court.

H. 1030. To amend sections two, twenty-seven and thirty-three of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900, and to amend section one of an act approved February the 15th, 1901, entitled an act to amend sections eight, nine and twenty-six of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900.

Ernest Lacey, Chairman.

The report of the committee was concurred in.

BILLS ON THIRD READING.

H. 1168. To amend sections 6 and 7 of an act entitled "An act to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers, their powers, duties and compensation; to fix the terms of said court; and to prescribe rules and procedure for said court," approved February 23d, 1907.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Edwards
Arnold	Burney	Foster
Altman	Cannon	Glover
Avery	Coleman (Lowndes)	Goodwyn
Ballard (Autauga)	Coleman (Marshall)	Gunter
Ballard (Pike)	Cooper	Haley
Barton	Cranford	Henley
Benners	Doyle (Clark)	Hoffman
Bloch	Doyle (Marengo)	Kirby

Ko. negay	McMillan	Rainer
Long (Morgan)	Norville	Rattray
Lee (Barbour)	Oliver	Rowe
Lee (Houston)	Parker	Rushton
Maner	Pitts (Dallas)	Sample
Mastin	Pitts (Perry)	Sanford
Middleton	Powell (Covington)	Smith (Etowah)
Mitchell	Pratt	Smith (Franklin)
Moore	Power	Tunstall
McCrary	Price	White (Lamar)
McDuffie	Ragsdale	Williams

—63.

H. 1105. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials or other intoxicating drinks or beverages within four miles of Chappel Hill Missionary Baptist church, Cool Springs Missionary Baptist church and the Rutledge Methodist Episcopal church, south, provided, the incorporation limits of the Rutledge Methodist Episcopal church, south, shall not extend further east than the corporate limits of the town of Luverne, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Burney	Goodwyn
Altman	Cannon	Gunter
Arnold	Coleman (Lowndes)	Haley
Avery	Coleman (Marshall)	Henley
Ballard (Autauga)	Cooper	Hoffman
Ballard (Pike)	Cranford	Hughston
Barton	Doyle (Clark)	John
Renner	Doyle (Marengo)	Jones
Benson	Edwards	Kirby
Bloch	Foster	Kornegay
Brown	Fuller	Lacy (Dallas)

Lacy (Walker)	McCrory	Price
Lee (Barbour)	McDuffie	Ragsdale
Lee (Houston)	McMillan	Rainer
Lindsey	Norville	Rattray
Lyons	Oliver	Rowe
Maner	Parker	Rushton
Mastin	Pitts (Dallas)	Sample
Middleton	Pitts (Perry)	Sanford
Mitchel	Powell (Covington)	Smith (Etowah)
Moore	Pratt	Tunstall

—63.

H. 1119. To declare the ownership of all books of record, all books of every character kept by any officer of the circuit court of Henry county at Dothan and Columbia, and all papers of every character pertaining to any cause, civil or criminal, theretofore disposed of, or pending or originating in said courts and not finally disposed of, including indictments where no arrests had been made, at the time of the organization of the county of Houston to be the property of Houston county and same to be kept in the office of the clerk of the circuit court of Houston county; to give the circuit court of Houston county jurisdiction of all such causes, civil or criminal, including indictments, where no arrest had been made at the time of the organization of said Houston county, except where the defendant was at the time of the commission of the offense alleged, in what is now Henry county, in which latter event the circuit court of Henry county shall have jurisdiction of the offense; to prescribe the duties and powers of the clerk of the circuit court of Houston county and of the sheriffs of their respective counties with reference to the issuance of process and the execution thereof in such causes, and to ratify and confirm all orders and judgments and proceedings of the circuit courts of Henry and Houston counties in any of said causes, and the acts of the clerks of the circuit courts of said counties and of the sheriffs of their respective counties, within their powers and duties, in and about any of said causes, including the issuance of capias and arrests thereon, on indict-

ments returned to said circuit courts of Henry county at Dothan and Columbia, and to declare same of legal force and effect the same as though such cases had originated in said circuit courts of Houston or Henry counties.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Moore
Altman	Goodwyn	McCrory
Arnold	Gunter	McDuffie
Avery	Haley	McMillan
Ballard (Autauga)	Henley	Norville
Ballard (Pike)	Hoffman	Oliver
Barton	Hughston	Parker
Benners	John	Pitts (Dallas)
Benson	Jones	Pitts (Perry)
Bloch	Kirby	Powell (Covington)
Brown	Kornegay	Pratt
Burney	Lacy (Dallas)	Price
Cannon	Lacy (Walker)	Ragsdale
Coleman (Lowndes)	Lee (Barbour)	Rainer
Coleman (Marshall)	Lee (Houston)	Rattray
Cooper	Lindsey	Rowe
Cranford	Lyons	Rushton
Doyle (Clark)	Malone	Sample
Doyle (Marengo)	Mastin	Sanford
Edwards	Middleton	Smith (Etowah)
Foster	Mitchell	Tunstall

—63.

H. 1091. To repeal an act entitled "An act to provide for and regulate the issuance of licenses for the sale of vinous, spirituous, and malt liquors to hotel owners, keepers or lesses in beat 1, Blount Springs precinct, in the county of Blount, State of Alabama.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:**Messrs:—**

Speaker	Fuller	McCrory
Altman	Goodwyn	McDuffie
Arnold	Gunter	McMillan
Avery	Haley	Norville
Ballard (Autauga)	Henley	Oliver
Ballard (Pike)	Hoffman	Parker
Barton	Hughston	Pitts (Dallas)
Benners	John	Pitts (Perry)
Benson	Jones	Powell (Covington)
Bloch	Kirby	Pratt
Brown	Kornegay	Price
Burney	Lacy (Dallas)	Ragsdale
Cannon	Lacy (Walker)	Rainer
Coleman (Lowndes)	Lee (Barbour)	Rattray
Coleman (Marshall)	Lee (Houston)	Rowe
Cooper	Lyons	Rushton
Cranford	Maner	Sample
Doyle (Clark)	Mastin	Sanford
Doyle (Marengo)	Middleton	Smith (Etowah)
Edwards	Mitchell	Tunstall
Foster	Moore	Weaver

—63.

H. 1089. To require one round to be made by the tax collector and tax assessor of Blount county for the purpose of assessing and collecting taxes, said round to begin the first Monday of November of every year.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:**Messrs:—**

Speaker	Benson	Cranford
Altman	Bloch	Doyle (Clark)
Arnold	Brown	Doyle (Marengo)
Avery	Burney	Edwards
Ballard (Autauga)	Cannon	Foster
Ballard (Pike)	Coleman (Lowndes)	Fuller
Barton	Coleman (Marshall)	Goodwyn
Benners	Cooper	Gunter

Henley	Mitchell	Rainer
Hoffman	Moore	Rowe
Hughston	McCrory	Rushton
John	McMillan	Sample
Jones	Norville	Sanders
Kirby	Oliver	Sanford
Kornegay	Parker	Smith (Etowah)
Lacy (Walker)	Pitts (Dallas)	Smith (Franklin)
Lee (Barbour)	Pitts (Perry)	Smith (Lee)
Lee (Houston)	Powell (Covington)	Steagall
Lyons	Pratt	Thompson
Maner	Price	Tunstall
Mastin	Ragsdale	Weaver

—63.

H. 1190. To repeal an act approved September the 30, 1903, entitled an act to provide a better system, and the more efficient working of the public roads of Bullock county.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Doyle (Clark)	Lee (Houston)
Altman	Doyle (Marengo)	Lyons
Arnold	Edwards	Malone
Avery	Foster	Maner
Ballard (Autauga)	Fuller	Mastin
Ballard (Pike)	Goodwyn	Mitchell
Barton	Gunter	Moore
Benners	Haley	McCrory
Benson	Henley	McDuffie
Bloch	Hoffman	Norville
Brown	Hughston	Oliver
Burney	John	Parker
Cannon	Jones	Pitts (Dallas)
Coleman (Lowndes)	Kirby	Pitts (Perry)
Coleman (Marshall)	Kornegay	Powell (Bullock)
Cooper	Lacy (Walker)	Pratt
Cranford	Lee (Barbour)	Pugh

Ragsdale	Sample	Steagall
Rainer	Sanford	Tunstall
Rowe	Seale	Turner
Rushton	Sherrod	Vann

—63.

H. 894. To prohibit any person who holds the office of justice of the peace, or any other office where authority is given to issue warrants of arrest, from acting as attorney in cases where the complaint against the defendant was made before such person, and the warrant of arrest was issued by him, in his official capacity.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Judiciary, said amendment being as follows:

Amend the bill by striking out the words "for the defendant" in the third line of the title and by striking out the words "for the defendant" in line 6 section 1.

And the amendment was adopted.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Doyle (Marengo)	Lyons
Altman	Edwards	Maner
Arnold	Foster	Mastin
Avery	Fuller	Middleton
Ballard (Pike)	Goodwyn	Mitchell
Barton	Gunter	Moore
Benners	Haley	McCrory
Benson	Hoffman	McDuffie
Bloch	Hughston	McMillan
Brown	John	Norville
Burney	Jones	Oliver
Cannon	Kirby	Parker
Coleman (Lowndes)	Kornegay	Pitts (Dallas)
Coleman (Marshall)	Lacy (Dallas)	White (Perry)
Cooper	Lacy (Walker)	Powell (Bullock)
Cranford	Lee (Barbour)	Powell (Covington)
Doyle (Clark)	Lee (Houston)	Power

Pratt	Rowe	Sherrod
Price	Sample	Steagall
Rainer	Sanders	Turner
Rattray	Sanford	Vann

—63.

And the bill:

H. 894. To prohibit any person who holds the office of justice of the peace, or any other office where authority is given to issue warrants of arrest, from acting as attorney in cases where the complaint against the defendant was made before such person, and the warrant of arrest was issued by him, in his official capacity.

As amended, was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Pearson
Altman	Hoffman	Peete
Arnold	Hughston	Pitts (Dallas)
Avery	John	Pitts (Perry)
Ballard (Pike)	Jones	Power
Benners	Kirby	Pratt
Benson	Kornegay	Price
Bloch	Lacy (Dallas)	Ragsdale
Brown	Lacy (Walker)	Rainer
Bulger	Lee (Barbour)	Rattray
Burney	Lee (Houston)	Rowe
Cannon	Lyons	Rushton
Cooper	Malone	Sanders
Cranford	Maner	Sanford
Doyle (Clark)	Middleton	Sherrod
Doyle (Marengo)	Mitchell	Steagall
Edwards	McCrory	Thompson
Foster	McDuffie	Tunstall
Fuller	McMillan	Turner
Goodwyn	Oliver	Williams
Gunter	Parker	Woolf

—63.

H. 895. To repeal an act entitled an act to provide for the election of the county superintendent of education by a vote of the legal electors of Covington and Bullock counties, approved February 17th, 1885, so far as the same relates to Bullock county.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Hoffman	Peete
Altman	Hughston	Powell (Covington)
Arnold	John	Pewer
Avery	Johnson	Pratt
Ballard (Pike)	Jones	Price
Baltzell	Kornegay	Ragsdale
Barton	Lawson	Rainer
Benson	Lindsey	Rowe
Bloch	Lovelady	Rushton
Bulger	Lyons	Sanders
Burney	Maner	Sanford
Cannon	Mastin	Seale
Cooper	Mitchell	Sherrod
Cranford	Moore	Steagall
Crum	McCrary	Thompson
Dudley	McDuffie	Tunstall
Elrod	McMillan	Turner
Fuller	Norville	Vann
Glover	Oliver	Weaver
Gunter	Parker	Williams
Haley	Pearson	Woelf

—63.

RECOMMITTAL OF BILL.

On motion of Mr. Arrington the bill H. 869, was recalled from the committee on temperance and recommitted to the standing committee on local legislation.

On motion of Mr. Sample, the bill H. 332, was taken from the adverse calendar and recommitted to the standing committee on judiciary.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has originated and passed the following Senate bills:

S. 363. To amend section 2240 of the Code of Alabama of 1896, and to appropriate the sum of six hundred dollars for the secretary of the Senate and the clerk of the House, respectively, for filing and arranging the papers of their respective houses in the office of the secretary of State and copy and deliver to the public printer the journals of their respective houses, with proper indexes thereto.

And sends same herewith to the House without engrossment.

S. 519. To ratify, confirm and validate loans of money, evidenced by notes or bonds and secured by mortgages, or either, made by any city or town out of any funds belonging thereto.

And sends same herewith to the House without engrossment.

S. 504. To fix the time of holding the circuit court in the county of Limestone in the Eighth Judicial Circuit of Alabama.

And sends same herewith to the House without engrossment.

S. 543. To ratify, confirm and legalize the orders, acts and proceedings of the commissioners' court of Choctaw county in issuing to the contractors for building the county court house, three principal warrants and six subsidiary warrants representing a legal rate of interest from January 1st, 1907, on said three principal warrants in settlement of the cost of constructing the county court house and to authorize the payment of said warrants.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:—

S. 543. To ratify, confirm and legalize the orders, acts and proceedings of the commissioners' court of Choctaw county, in issuing to the contractors for build-

ing the county court house, three principal warrants and six subsidiary warrants, representing a legal rate of interest from January 1, 1907, on said three principal warrants, in settlement of the costs of constructing county court house and to authorize the payment of said warrants.

And sends the same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED BILL.

There will be introduced in the Legislature at its session in July a bill to ratify, confirm and legalize the orders, acts and proceedings of the commissioners' court of Choctaw county in issuing to the contractors for the building of the court house three principal warrants of equal amounts and six subsidiary warrants representing legal rate of interest from February 1st, 1907, on said principal warrants in settlement of a part of the cost of constructing the court house; also to ratify by law and confirm the orders, acts and proceedings of the commissioners' court, the probate judge and treasurer in issuing, paying and cancelling certain warrants issued to said contractors, and in issuing to said contractors five principal warrants with interest coupons attached.

The State of Alabama, }
County of Choctaw. }

Before me, W. H. Lindsey, a notary public, for said county, personally appeared W. L. Gray, who being by me duly sworn, deposes and says, that the attached notice of a proposed local law, was published in the Choctaw Advocate, a newspaper of which he is editor, once a week, for four successive weeks next prior to the 9th day of July, A. D., 1907.

W. L. Gray,
Editor Choctaw Advocate.

Sworn to and subscribed before me, this the 8th day
of July, 1907.

W. H. Lindsey,
Notary Public, Choctaw County.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The bills, the titles to which are set out in the above
and foregoing Senate message, was read one time and
referred to appropriate standing committees, as follows:

Rules, S. 363.

Municipal Organization, S. 519.

Judiciary, S. 504.

Local Legislation, S. 543.

BILLS ON THIRD READING.

H. 896. To repeal an act entitled "An act to author-
ize the commissioners' court of Butler county to order
elections for the establishment of districts in which
stock shall be prevented from running at large.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	Lawson
Altman	Edwards	Lindsey
Arnold	Elrod	Long (Butler)
Avery	Foster	Lovelady
Baltzell	Fuller	Lyons
Barton	Glover	Malone
Benners	Gunter	Maner
Bloch	Haley	Mastin
Brown	Henley	Mitchell
Bulger	Hoffman	Moore
Burney	Jenkins	McCrary
Cannon	John	McMillan
Cooper	Jones	Oliver
Cranford	King	Power
Crum	Kirby	Pratt

Price	Sample	Thompson
Pugh	Sanders	Tunstall
Rainer	Sanford	Turner
Rattray	Seale	Urquhart
Rowe	Sherrod	Vann
Rushton	Steagall	Weaver

—63.

H. 1092. For the relief of J. W. Angle.
Was read a third time, at length, and passed.
Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Peete
Altman	Hoffman	Power
Arnold	Hughston	Pratt
Avery	Jenkins	Price
Baltzell	John	Ragsdale
Barton	Jones	Rainer
Benners	Killen	Rattray.
Bloch	King	Rowe
Brown	Kirby	Rushton
Burney	Lawson	Sample
Cannon	Long (Butler)	Sanders
Cooper	Lyons	Sanford
Cranford	Malone	Seale
Crum	Maner	Sherrod
Dudley	Mastin	Thompson
Elrod	Mitchell	Tunstall
Foster	Moore	Turner
Fuller	McCrory	Vann
Glover	Oliver	Weaver
Goodwyn	Parker	Williams
Gunter	Pearson	Wolf

—63.

H. 1095. To require the tax assessor and tax collector of Calhoun county, Alabama, to visit the voting places in each precinct in Calhoun county, Alabama, once in each year for the purpose of assessing and collecting taxes. That said tax assessor and tax collector

shall each keep his office open at the court house of said county from October the 1st to December the 31st of each year.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	McCrory
Altman	Gunter	McMillan
Arnold	Haley	Norville
Avery	Henley	Oliver
Baltzell	Hoffman	Pearson
Barton	Jenkins	Peete
Benners	John	Power
Benson	Johnson	Pratt
Bloch	Jones	Price
Brown	Killen	Ragsdale
Bulger	King	Rainer
Burney	Kirby	Rattray
Cannon	Lawson	Rowe
Cooper	Lindsey	Sample
Cranford	Long (Morgan)	Seale
Crum	Lovelady	Sherrod
Dudley	Lyons	Steagall
Edwards	Malone	Thompson
Elrod	Maner	Tunstall
Foster	Mastin	Turner
Fuller	Mitchell	Weaver

—63.

H. 1100. To prohibit the manufacture of spirituous or malt liquors in Cherokee county.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Baltzell	Bulger
Altman	Barton	Burney
Arnold	Benners	Cooper
Arrington	Benson	Cranford
Avery	Brown	Crum

Dudley	Lawson	Price
Edwards	Lindsey	Ragsdale
Elrod	Long (Morgan)	Rainer
Foster	Lovelady	Rattray
Fuller	Lyons	Rowe
Glover	Malone	Rushton
Gunter	Maner	Seale
Haley	Mastin	Sherrod
Hoffman	Mitchell	Steagall
Hughston	Moore	Thompson
John	Oliver	Tunstall
Jones	Parker	Turner
Killen	Pearson	Urquhart
King	Peete	Vann
Kirby	Power	Weaver
Kornegay	Pratt	Wolf

—63.

H. 1098. To provide for closing and discontinuing the dispensary operated under an act to establish a dispensary in the town of Clanton, county of Chilton, State of Alabama, and to provide for the conduct and regulation of the same, approved March 2, 1907.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Elrod	Lovelady
Altman	Fuller	Lyons
Arnold	Glover	Malone
Avery	Gunter	Maner
Barton	Haley	Mastin
Benners	Hoffman	Middleton
Bloch	Hughston	Mitchell
Brown	John	Moore
Burney	Johnson	McCrory
Cannon	Jones	McMillan
Cooper	Kirby	Oliver
Crum	Lawson	Parker
Dudley	Lindsey	Pearson
Edwards	Long (Butler)	Peete

Power	Rowe	Thompson
Pratt	Sample	Tunstall
Price	Sanders	Turner
Pugh	Sanford	Urquhart
Ragsdale	Seale	Vann
Rainer	Sherrod	Weaver
Rattray	Steagall	Woolf

—63.

H. 1106. To make it unlawful for any person to sell, give away, or otherwise dispose of spirituous, vinous or malt liquors within three miles of the school house known as the Powell school house in beat six (6) of Crenshaw county, Alabama, and to punish violations of the same.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Pearson
Alford	Gunter	Peete
Altman	Haley	Power
Armstrong	Hoffman	Pratt
Arnold	Jenkins	Price
Arrington	John	Ragsdale
Avery	Jones	Rainer
Baltzell	Killen	Rattray
Barton	King	Rowe
Benners	Kirby	Rushton
Bloch	Lawson	Sample
Brown	Lindsey	Sanders
Bulger	Lovelady	Sanford
Burney	Lyons	Seale
Cannon	Malone	Sherrod
Cranford	Maner	Steagall
Crum	Mastin	Tunstall
Dudley	Mitchell	Turner
Edwards	Moore	Vann
Elrod	Oliver	Weaver
Fuller	Parker	Williams

—63.

H. 1035. To provide for the election of a county solicitor for Wilcox county, to define his duties and fix his compensation.

Was taken up. Mr. Bloch offered the following amendment to the bill:

Amend by striking out figures 1910 when it appears in the body of the bill, and substitute in lieu thereof 1908.

And the amendment was adopted.

Yeas, 63; nays, 0.

Yeas:

Members:—

Speaker	Jones	Power
Alford	Killen	Pratt
Altman	King	Price
Armstrong	Kirby	Ragsdale
Arnold	Lancaster	Rainer
Arrington	Lawson	Ratray
Avery	Long (Butler)	Rowe
Baltzell	Lovelady	Rushton
Barton	Lyons	Sample
Benness	Malone	Sanders
Benson	Maner	Sanford
Bloch	Mastin	Seale
Brown	Middleton	Sherrod
Bulger	Mitchell	Steagall
Burney	Moore	Thompson
Cannon	McMillan	Tunstall
Cooper	Norville	Turner
Crum	Oliver	Vann
Fuller	Parker	Weaver
Glover	Pearson	Williams
John	Peete	Wolf

—63.

And the bill:

H. 1035. To provide for the election of a county solicitor for Wilcox county, to define his duties and fix his compensation.

As amended, was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Parker
Alford	Gunter	Pearson
Altman	Haley	Peete
Armstrong	Hoffman	Power
Arnold	Jenkins	Pratt
Arrington	John	Price
Avery	Jones	Rainer
Baltzell	Killen	Rowe
Barton	King	Sample
Benners	Kirby	Sanders
Bloch	Lawson	Sanford
Brown	Lindsey	Seale
Bulger	Lovelady	Sherrod
Cannon	Malone	Steagall
Cooper	Maner	Thompson
Cranford	Mastin	Tunstall
Crum	Mitchell	Turner
Dudley	Moore	Vann
Edwards	McMillan	Weaver
Elrod	Norville	Williams
Fuller	Oliver	Woolf

—63.

H. 1037. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county or other authorized agents of said county, borrowing money for the use and benefit of said county, and to ratify and confirm the warrants given for money so borrowed, and for the interest thereon, and for warrants heretofore issued for said purpose.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Arrington	Benson
Alford	Avery	Bloch
Altman	Baltzell	Brown
Armstrong	Barton	Bulger
Arnold	Benners	Burney

Cannon	Killen	Parker
Cooper	King	Pearson
Cranford	Kirby	Power
Crum	Kornegay	Pratt
Dudley	Lancaster	Ragsdale
Edwards	Lawson	Rainer
Elrod	Lindsey	Rattray
Fuller	Lovelady	Rowe
Glover	Lyons	Rushton
Gunter	Malone	Steagall
Haley	Maner	Thompson
Hoffman	Mastin	Tunstall
Jenkins	Mitchell	Turner
John	Moore	Vann
Johnson	McCrory	Weaver
Jones	McMillan	Woolf

—63.

H. 1183. For the relief of Mrs. Mary Jane Vernon, widow and sister of G. B. Alexander, a confederate pensioner.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Messrs:—

Yeas:

Alford	Dudley	Lovelady
Altman	Elrod	Lyons
Arnold	Foster	Malone
Arrington	Fuller	Maner
Avery	Glover	Mastin
Baltzell	Goodwyn	Moore
Barton	Gunter	McCrory
Benson	Haley	Parker
Bloch	Henley	Pearson
Brown	Hoffman	Peete
Bulger	Jones	Power
Burney	Killen	Pratt
Cannon	King	Price
Cooper	Kirby	Ragsdale
Cranford	Lawson	Rainer
Crum	Lindsey	Rattray

Rowe	Seale	Turner
Rushton	Sherrod	Vann
Sample	Steagall	Weaver
Sanders	Thompson	Williams
Sanford	Tunstall	Woolf

—63.

H. 1101. To amend an act entitled an act to fix the times and places of holding circuit court in the Seventh judicial circuit, approved Oct. 3, 1903.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	McMillan
Alford	Glover	Norville
Altman	Goodwyn	Oliver
Armstrong	Gunter	Pearson
Arnold	Haley	Peete
Arrington	Henley	Power
Avery	Hoffman	Pratt
Baltzell	Jenkins	Price
Barton	John	Ragsdale
Benners	Johnson	Rainer
Benson	Jones	Rattray
Bloch	Killen	Rowe
Brown	King	Sample
Bulger	Kirby	Steagall
Cannon	Lawson	Tunstall
Cooper	Lindsey	Turner
Crum	Lovelady	Vann
Dudley	Lyons	Weaver
Edwards	Malone	Williams
Elrod	Maner	Woolf
Foster	Mastin	

—63.

H. 1191. To provide that the sheriff of Bullock county, Alabama, shall receive for "impaneling grand juries, advertising and attending all elections in his county, and for all other public service not otherwise provided

for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury, not exceeding five hundred (\$500.00) dollars per annum."

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Alford	Fuller	Moore
Altman	Glover	McCrory
Armstrong	Goodwyn	McMillan
Arnold	Gunter	Oliver
Arrington	Haley	Pearson
Avery	Hoffman	Peete
Baltzell	Jenkins	Powell (Bullock)
Barton	John	Power
Benners	Johnson	Pratt
Benson	Jones	Price
Bloch	Killen	Ragsdale
Brown	King	Rainer
Bulger	Kirby	Rowe
Burney	Kornegay	Steagall
Cannon	Lawson	Thompson
Cooper	Lindsey	Tunstall
Cranford	Lovelady	Turner
Crum	Lyons	Vann
Dudley	Malone	Weaver
Elrod	Maner	Williams
Foster	Mastin	Woolf

—63.

H. 1103. To amend section 9 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee in Colbert county, to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of

Power	Rattray	Sanford
Pratt	Rowe	Seale
Price	Rushton	Sherrod
Ragsdale	Sample	Turner
Rainer	Sanders	Woolf

—63.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House amendments to S. J. R. No. 67, relative to adjournment on July 18, 1907.

J. A. Kyle,
Secretary.

BILLS ON THIRD READING.

H. 938. To alter or rearrange the boundary lines of the city of Bessemer, Jefferson county, Alabama.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Hoffman	Peete
Altman	Hughston	Power
Armstrong	Jenkins	Pratt
Arnold	John	Price
Avery	Johnson	Ragsdale
Baltzell	Jones	Rainer
Barton	Killen	Rattray
Benners	King	Rowe
Benson	Kirby	Sample
Bloch	Lawson	Sanders
Brown	Lindsey	Sanford
Burney	Lovelady	Seale
Cannon	Lyons	Sherrod
Cranford	Malone	Steagall
Crum	Mastin	Thompson
Edwards	Mitchell	Tunstall
Elrod	Norville	Turner
Foster	Oliver	Vann
Fuller	Parker	Weaver
Goodwyn	Pearson	Woolf
Gunter		

71 H

—63.

H. 1066. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All of Sadler avenue; the south half of Lucian avenue from the center of Emma street to the center of Telula street; all of Lucian avenue from center to Telula street to Eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-five and north of center of Valley Creek canal; all of Telula street lying south of the center of Lucian avenue and north of center of Valley Creek canal; the east half of Telula street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-five and center of Lucian avenue all of Emma street lying south of the continuation of the south line of the alley running easterly and westerly through block twenty-eight and north of the center of Valley Creek canal; the east half of Emma street lying between a continuation of the south line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all the alleys in or through blocks twenty-nine, thirty, and thirty-one; all being located according to the survey, map and plan of Owenton, a map of which is recorded in map book two, page twenty-six, in the office of the probate judge of Jefferson county, Alabama.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Cannon	Hailey
Alford	Cooper	Fenley
Altman	Cranford	Hughston
Arnold	Crum	Jenkins
Arrington	Dudley	John
Avery	Elrod	Jones
Baltzell	Foster	King
Barton	Fuller	Kirby
Benson	Glover	Lawson
Burney	Gunter	Lindsey

Lovelady	Peete	Sanford
Lyons	Power	Scale
Maner	Pratt	Sherrod
Mastin	Price	Steagall
Moore	Itagsdale	Thompson
McCrory	Rainer	Tunstall
McDuffie	Rattray	Turner
Norville	Rowe	Vann
Oliver	Rushton	Weaver
Parker	Sample	Williams
Pearson	Sanders	Woolf

—63.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bills:

H. 860. To authorize the board of mayor and aldermen of the city of Bridgeport in Jackson county, Alabama, to permit school children living without the limits of said city, to attend the public schools within said city upon such terms as said board may prescribe.

H. 940. To provide for the publication and distribution of the Code of Alabama and the acts of the Legislature.

H. 883. To authorize the board of county commissioners of Tuscaloosa county to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, and to pay from the general fund of the county such sum or sums of money as said board may deem necessary or proper for such purpose.

H. 884. To authorize the board of mayor and aldermen of the city of Tuscaloosa to maintain or contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, for the benefit of the public, and to prescribe rules for the government of same, and to pay out of the general fund of the city such sums of money as the said city board deems necessary for the maintenance, or part maintenance of said wagon yard or lot.

H. 927. To further provide for the further construction, maintenance and repair of public roads in Jackson county.

E. R. Lacey, Chairman.

The report was concurred in.

BILLS ON THIRD READING.

H. 1217. To amend section three of an act entitled "An act to authorize the solicitor of Jefferson county to employ a stenographer, and define his duties," approved December 10, 1900.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Hughston	Pearson
Alford	Jenkins	Peete
Altman	John	Power
Armstrong	Johnston	Pratt
Arnold	Jones	Price
Arrington	Killen	Ragsdale
Avery	King	Rainer
Cooper	Kirby	Rattray
Cranford	Lawson	Rowe
Crum	Lindsey	Sample
Dudley	Lovelady	Sanders
Edwards	Lyons	Sanford
Elrod	Malone	Seale
Foster	Maner	Sherrod
Fuller	Mastin	Steagall
Glover	Middleton	Thompson
Goodwyn	Mitchell	Tunstall
Gunter	Moore	Turner
Haley	Norville	Vann
Henley	Oliver	Weaver
Hoffman	Parker	Woolf

MOTION TO RECONSIDER.

Mr. Sherrod gave notice that he would move on to-morrow to reconsider the vote by which the bill, H. 332, was taken from the adverse calendar and recommitted to the standing committee on Judiciary.

H. 1218. To fix the time for the election of the solicitor of Jefferson county.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Oliver
Alford	Fuller	Pearson
Altman	Glover	Peete
Armstrong	Gunter	Power
Arnold	Haley	Pratt
Arrington	Hoffman	Price
Avery	Hughston	Ragsdale
Baltzell	John	Rainer
Barton	Jones	Rattray
Benners	Killen	Rowe
Benson	King	Sample
Bloch	Kirby	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Seale
Burney	Malone	Sherrod
Cannon	Maner	Steagail
Cooper	Mastin	Tunstall
Cranford	Mitchell	Turner
Crum	Moore	Vann
Dudley	McCrory	Weaver
Edwards	Norville	Woolf

—63.

H. 1219. To increase the salary of the solicitor of Jefferson county to the sum of four thousand five hundred dollars per annum, and provide for the payment of said salary.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas :

Messrs:—

Speaker	Glover	Power
Alford	Goodwyn	Pratt
Altman	Gunter	Price
Armstrong	Haley	Ragsdale
Arnold	John	Rainer
Arrington	King	Rattray
Avery	Kirby	Rowe
Baltzell	Lawson	Rushton
Barton	Lindsey	Sample
Benson	Lovelady	Sanders
Bloch	Lyons	Sanford
Burney	Malone	Seale
Cannon	Maner	Sherrod
Cooper	Mastin	Steagall
Cranford	Mitchell	Thompson
Crum	Moore	Tunstall
Dudley	McMillan	Turner
Edwards	Norville	Vann
Elrod	Parker	Weaver
Foster	Pearson	Woolf
Fuller	Peete	

. —63.

H. 832. To vacate the dedication of all that part of Charles avenue lying north and east of the eastern line of Twelfth street as now located between avenues "H" and "I" in the city of Birmingham, Jefferson county, Alabama, and which was dedicated as a public highway.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Speaker	Baltzell	Burney
Alford	Barton	Cannon
Altman	Benners	Cooper
Armstrong	Benson	Cranford
Arnold	Bloch	Crum
Arrington	Brown	Dudley
Avery	Bulger	Edwards

Elrod	Lovelady	Rowe
Foster	Lyons	Sample
Glover	Maner	Sanders
Goodwyn	Mastin	Sanford
Gunter	McCrory	Seale
Haley	McMillan	Sherrod
Hoffman	Oliver	Steagall
John	Pearson	Thompson
Jones	Peete	Tunstall
Killen	Power	Turner
King	Pratt	Vann
Kirby	Price	Weaver
Lawson	Rainer	Woolf
Lindsey	Ratray	Williams

—63.

H. 1139. To repeal an act entitled "An act to better provide for the working and maintenance of the public roads of Chambers, Lamar, Lawrence, Lowndes, Clay and Cleburne counties," approved February 18th, 1899, so far as the same relates to Lamar county.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Cooper	Kirby
Alford	Cranford	Lawson
Altman	Crum	Lindsey
Armstrong	Dudley	Lovelady
Arnold	Edwards	Lyons
Arrington	Elrod	Malone
Avery	Foster	Maner
Baltzell	Fuller	Mastin
Barton	Glover	Moore
Benners	Gunter	McCrory
Benson	Haley	Oliver
Bloch	Hoffman	Parker
Brown	Jenkins	Pearson
Bulger	John	Peete
Burney	Killen	Power
Cannon	King	Pratt

Price	Sanford	Tunstall
Ragsdale	Seale	Turner
Rainer	Sherrod	Weaver
Rowe	Steagall	White (Lamar)
Sample	Thompson	

—63.

H. 1223. To require the five thousand dollars required by section 25 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, Alabama, located in the city of Huntsville, approved the 7th day of February, 1907, to be paid over to the county superintendent of education of Madison county for the support of the public schools of the county, to be applied exclusively to the public schools of the county of Madison, outside the city of Huntsville.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	Moore
Alford	Fuller	McCrory
Altman	Glover	McDuffie
Armstrong	Goodwyn	Oliver
Arnold	Gunter	Parker
Arrington	Henley	Pearson
Avery	Hoffman	Peete
Baltzell	Hughston	Pewer
Barton	John	Pratt
Benners	Jones	Price
Benson	Killen	Ragsdale
Bloch	King	Rainer
Brown	Kirby	Rattray
Bulger	Lindsey	Rowe
Burney	Lovelady	Sample
Cannon	Lyons	Sanders
Cooper	Malone	Sanford
Cranford	Maner	Seale
Crum	Mastin	Sherrod

Steagall
Thompson

Tunstall
Turner

Vann
Weaver

—63.

H. 1221. To prohibit the running or operating of billiard or pool tables for the use of which money or other thing of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Parker
Alford	Gunter	Pearson
Altman	Haley	Peete
Arrington	Jenkins	Power
Avery	John	Pratt
Baltzell	Johnson	Price
Barton	Jones	Ragsdale
Benners	Killen	Rainer
Benson	King	Rattray
Bloch	Kirby	Rowe
Brown	Lawson	Sample
Bulger	Lee (Barbour)	Sanders
Burney	Lee (Etowah)	Sanford
Cannon	Lee (Houston)	Seale
Cooper	Lindsey	Sherrod
Cranford	Lovelady	Steagall
Crum	Lyons	Thompson
Dudley	Malone	Tunstall
Elrod	Maner	Turner
Foster	Mastin	Vann
Fuller	McDuffie	Weaver

—63.

H. 966. To amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26th, 1907.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:**Messrs:—**

Speaker	Glover	Pearson
Alford	Goodwyn	Peete
Altman	Gunter	Power
Arnold	Haley	Pratt
Arrington	Henley	Price
Avery	Hoffman	Ragsdale
Baltzell	Hughston	Rainer
Barton	Jones	Rattray
Benners	Killen	Rowe
Benson	King	Sample
Bloch	Kirby	Sanders
Bulger	Kornegay	Sanford
Burney	Lindsey	Seale
Cannon	Lovelady	Sherrod
Cooper	Lyons	Steagall
Cranford	Maner	Thompson
Crum	Mastin	Tunstall
Dudley	Moore	Turner
Edwards	McCrary	Vann
Elrod	Oliver	Weaver
Foster	Parker	Woolf

—63.

H. 1113. To provide for holding one week of each term of the circuit court of Geneva county at Hartford, Alabama; to prescribe the jurisdiction thereof, and regulate the proceedings therein, and to provide a place for holding the same in said town.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:**Messrs:—**

Speaker	Baltzell	Cannon
Alford	Barton	Cooper
Altman	Benson	Cranford
Armstrong	Bloch	Crum
Arnold	Brown	Dudley
Arrington	Bulger	Edwards
Avery	Burney	Elrod

Foster	Lindsey	Rainer
Fuller	Lovelady	Rattray
Glover	Lyons	Rowe
Haley	Malone	Rushton
Henley	Maner	Sample
Hoffman	Mastin	Seale
Hughston	Moore	Sherrod
John	Parker	Steagall
Johnson	Pearson	Thompson
Jones	Peete	Tunstall
Killen	Power	Turner
King	Pratt	Vann
Kirby	Price	Weaver
Lawson	Ragsdale	Woolf

—63.

H. 1170. To provide for the payment of outstanding claims against the fine and forfeiture fund of Morgan county, to provide for the issuing and payment of all witness certificates in behalf of the State out of the fine and forfeiture fund, authorize and direct the county treasurer to appropriate and transfer from the general funds of the county to the fine and forfeiture fund a sufficient amount to pay witness certificates, and to provide for quarterly reports of the condition of said funds.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Haley
Alford	Bulger	John
Altman	Burney	Jones
Armstrong	Cannon	Killen
Arnold	Cooper	King
Arrington	Cranford	Kirby
Avery	Crum	Lawson
Baltzell	Dudley	Lindsey
Barton	Elrod	Lovelady
Benness	Foster	Lyons
Benson	Goodwyn	Malone
Bloch	Gunter	Maner

Mastin	Price	Seale
Moore	Ragsdale	Sherrod
McCrory	Rainer	Steagall
Oliver	Ratray	Thompson
Parker	Rowe	Tunstall
Pearson	Rushton	Turner
Peete	Sample	Vann
Power	Sanders	Weaver
Pratt	Sanford	Woolf

—63.

H. 1169. To establish an inferior court in precinct No. 10 in Morgan county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, and to define the jurisdiction and powers of said court and the judge thereof.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Parker
Alford	Fuller	Pearson
Altman	Gunter	Peete
Armstrong	Haley	Power
Arnold	Henley	Pratt
Arrington	Hoffman	Price
Avery	Hughston	Ragsdale
Baltzell	Jones	Rainer
Barton	Killen	Ratray
Benners	King	Rowe
Benson	Kirby	Sample
Bloch	Lawson	Sanders
Brown	Lindsey	Sanford
Bulger	Lovelady	Sherrod
Burney	Lyons	Steagall
Cannon	Maner	Thompson
Cooper	Mastin	Tunstall
Cranford	Moore	Turner
Crum	McCrory	Vann
Dudley	Norville	Weaver
Elrod	Oliver	Woolf

—63.

BILL ON SECOND READING.

Mr. Gunter, chairman of the standing committee on Municipal Organization, reported that said committee in session had acted on the following bill and order same returned to the House with a favorable report:

By Mr. Hinson, (Municipal Organization):

S. 375. To repeal an act entitled "An act to incorporate the town of Hayneville.

The above and foregoing bill was read a second time, and placed on the calendar.

BILLS ON THIRD READING.

H. 965. To fix the times and place of holding the chancery court in the eighth district of the Northern division, composed of the county of Madison.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Peete
Alford	Haley	Power
Altman	Henley	Pratt
Arnold	Hoffman	Price
Arrington	John	Ragsdale
Avery	Johnson	Rainer
Baltzell	Jones	Rattray
Barton	Killen	Rowe
Benners	King	Rushton
Benson	Kirby	Sample
Bloch	Kornegay	Sanders
Brown	Lovelady	Sanford
Cooper	Lyons	Seale
Cranford	Malone	Sherrod
Crum	Maner	Steagall
Edwards	Mastin	Thompson
Elrod	Moore	Tunstall
Foster	McCrary	Turner
Fuller	Oliver	Vann
Glover	Parker	Weaver
Goodwyn	Pearson	Woolf

H. 1064. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plans and survey of Smithfield by Dr. Jos. R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Sally avenue. All of Joseph street lying between Valley Creek canal and Irene avenue. All of Mortimer street lying between Valley Creek canal and Agnes avenue. All of Agnes avenue lying between Valley Creek canal and Mortimer street.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Moore
Alford	Glover	Oliver
Altman	Goodwyn	Parker
Armstrong	Gunter	Pearson
Arnold	Haley	Peete
Arrington	Hughston	Power
Avery	Jenkins	Pratt
Baltzell	John	Price
Barton	Johnson	Ragsdale
Benners	Jones	Rainer
Benson	Killen	Rattray
Bloch	King	Rowe
Brown	Kirby	Rushton
Bulger	Lawson	Seale
Burney	Lindsey	Sherrod
Cannon	Long (Butler)	Steagall
Cooper	Lovelady	Thompson
Cranford	Lyons	Tunstall
Crum	Malone	Turner
Dudley	Maner	Vann
Elrod	Mastin	Weaver

—63.

H. 1213. To amend section five of an act approved February 22nd, 1907, entitled "An act to prohibit the sale, barter, exchange, giving away, lending, delivering

or otherwise disposing of spirituous, malt liquors, intoxicating beverages, bitters or proprietary medicines in Lamar county, Alabama, and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or malt liquors, intoxicating beverages or intoxicating bitters, or intoxicating proprietary medicines from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, or intoxicating proprietary medicines, in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, or intoxicating bitters, or intoxicating proprietary medicines by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telephone or telegraph company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters or intoxicating proprietary medicines to any point within this State, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict herewith.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Burney	Glover
Alford	Cannon	Gunter
Altman	Cooper	Haley
Armstrong	Cranford	Henley
Arnold	Crum	Hoffman
Arrington	Dudley	John
Avery	Edwards	Johnson
Baltzell	Elrod	Jones
Barton	Foster	Killen
Benners	Fuller	King

Kirby	Oliver	Sanford
Lawson	Parker	Seale
Lindsey	Pearson	Sherrod
Lovelady	Peete	Steagall
Lyons	Power	Thompson
Mastin	Pratt	Tunstall
Mitchell	Price	Turner
Moore	Rainer	Vann
McCrary	Rattray	Weaver
McMillan	Rowe	Williams
Norville	Sample	Woolf

--63.

H. 1018. To authorize an election in the county of Talladega, to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Crum	Mitchell
Alford	Dudley	McDuffie
Altman	Edwards	McMillan
Armstrong	Elrod	Norville
Arnold	Jenkins	Oliver
Arrington	John	Parker
Avery	Johnson	Pearson
Baltzell	Jones	Peete
Barton	King	Power
Benners	Kirby	Pratt
Benners	Lawson	Price
Bloch	Lindsey	Ragsdale
Brown	Lovelady	Rainer
Bulger	Lyons	Rattray
Burney	Malone	Rowe
Cannon	Maner	Rushton
Cooper	Mastin	Sample
Cranford	Middleton	Sanders

Power	Rattray	Sanford
Pratt	Rowe	Seale
Price	Rushton	Sherrod
Ragsdale	Sample	Turner
Rainer	Sanders	Woolf

—63.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House amendments to S. J. R. No. 67, relative to adjournment on July 18, 1907.

J. A. Kyle,
Secretary.

BILLS ON THIRD READING.

H. 938. To alter or rearrange the boundary lines of the city of Bessemer, Jefferson county, Alabama.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Hoffman	Peete
Altman	Hughston	Power
Armstrong	Jenkins	Pratt
Arnold	John	Price
Avery	Johnson	Ragsdale
Baltzell	Jones	Rainer
Barton	Killen	Rattray
Benness	King	Rowe
Benson	Kirby	Sample
Bloch	Lawson	Sanders
Brown	Lindsey	Sanford
Burney	Lovelady	Seale
Cannon	Lyons	Sherrod
Cranford	Malone	Steagall
Crum	Mastin	Thompson
Edwards	Mitchell	Tunstall
Elrod	Norville	Turner
Foster	Oliver	Vann
Fuller	Parker	Weaver
Goodwyn	Pearson	Woolf
Gunter		

71 H

—63.

H. 1066. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All of Sadler avenue; the south half of Lucian avenue from the center of Emma street to the center of Telula street; all of Lucian avenue from center to Telula street to Eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-five and north of center of Valley Creek canal; all of Telula street lying south of the center of Lucian avenue and north of center of Valley Creek canal; the east half of Telula street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-five and center of Lucian avenue all of Emma street lying south of the continuation of the south line of the alley running easterly and westerly through block twenty-eight and north of the center of Valley Creek canal; the east half of Emma street lying between a continuation of the south line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all the alleys in or through blocks twenty-nine, thirty, and thirty-one; all being located according to the survey, map and plan of Owenton, a map of which is recorded in map book two, page twenty-six, in the office of the probate judge of Jefferson county, Alabama.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Cannon	Hailey
Alford	Cooper	Fenley
Altman	Cranford	Hughston
Arnold	Crum	Jenkins
Arrington	Dudley	John
Avery	Elrod	Jones
Baltzell	Foster	King
Barton	Fuller	Kirby
Benson	Glover	Lawson
Burney	Gunter	Lindsey

Lovelady	Peete	Sanford
Lyons	Power	Seale
Maner	Pratt	Sherrod
Mastin	Price	Steagall
Moore	Ragsdale	Thompson
McCrory	Rainer	Tunstall
McDuffie	Rattray	Turner
Norville	Rowe	Vann
Oliver	Rushton	Weaver
Parker	Sample	Williams
Pearson	Sanders	Woolf

—63.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bills:

H. 860. To authorize the board of mayor and aldermen of the city of Bridgeport in Jackson county, Alabama, to permit school children living without the limits of said city, to attend the public schools within said city upon such terms as said board may prescribe.

H. 940. To provide for the publication and distribution of the Code of Alabama and the acts of the Legislature.

H. 883. To authorize the board of county commissioners of Tuscaloosa county to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, and to pay from the general fund of the county such sum or sums of money as said board may deem necessary or proper for such purpose.

H. 884. To authorize the board of mayor and aldermen of the city of Tuscaloosa to maintain or contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, for the benefit of the public, and to prescribe rules for the government of same, and to pay out of the general fund of the city such sums of money as the said city board deems necessary for the maintenance, or part maintenance of said wagon yard or lot.

H. 927. To further provide for the further construction, maintenance and repair of public roads in Jackson county.

E. R. Lacey, Chairman.

The report was concurred in.

BILLS ON THIRD READING.

H. 1217. To amend section three of an act entitled "An act to authorize the solicitor of Jefferson county to employ a stenographer, and define his duties," approved December 10, 1900.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Hughston	Pearson
Alford	Jenkins	Peete
Altman	John	Power
Armstrong	Johnston	Pratt
Arnold	Jones	Price
Arrington	Killen	Ragsdale
Avery	King	Rainer
Cooper	Kirby	Rattray
Cranford	Lawson	Rowe
Crum	Lindsey	Sample
Dudley	Lovelady	Sanders
Edwards	Lyons	Sanford
Elrod	Malone	Seale
Foster	Maner	Sherrod
Fuller	Mastin	Steagal
Glover	Middleton	Thompson
Goodwyn	Mitchell	Tunstall
Gunter	Moore	Turner
Haley	Norville	Vann
Henley	Oliver	Weaver
Hoffman	Parker	Woolf

MOTION TO RECONSIDER.

Mr. Sherrod gave notice that he would move on tomorrow to reconsider the vote by which the bill, H. 332, was taken from the adverse calendar and recommitted to the standing committee on Judiciary.

H. 1218. To fix the time for the election of the solicitor of Jefferson county.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Oliver
Alford	Fuller	Pearson
Altman	Glover	Peete
Armstrong	Gunter	Power
Arnold	Haley	Pratt
Arrington	Hoffman	Price
Avery	Hughston	Ragsdale
Baltzell	John	Rainer
Barton	Jones	Rattray
Benners	Killen	Rowe
Benson	King	Sample
Bloch	Kirby	Sanders
Brown	Lovelady	Sanford
Bulger	Lyons	Seale
Burney	Malone	Sherrod
Cannon	Maner	Steagail
Cooper	Mastin	Tunstall
Cranford	Mitchell	Turner
Crum	Moore	Vann
Dudley	McCrary	Weaver
Edwards	Norville	Woelf

—63.

H. 1219. To increase the salary of the solicitor of Jefferson county to the sum of four thousand five hundred dollars per annum, and provide for the payment of said salary.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Power
Alford	Goodwyn	Pratt
Altman	Gunter	Price
Armstrong	Haley	Ragsdale
Arnold	John	Rainer
Arrington	King	Rattray
Avery	Kirby	Rowe
Baltzell	Lawson	Rushton
Barton	Lindsey	Sample
Benson	Lovelady	Sanders
Bloch	Lyons	Sanford
Burney	Malone	Seale
Cannon	Maner	Sherrod
Cooper	Mastin	Steagall
Cranford	Mitchell	Thompson
Crum	Moore	Tunstall
Dudley	McMillan	Turner
Edwards	Norville	Vann
Elrod	Parker	Weaver
Foster	Pearson	Woolf
Fuller	Peete	

—63.

H. 832. To vacate the dedication of all that part of Charles avenue lying north and east of the eastern line of Twelfth street as now located between avenues "H" and "I" in the city of Birmingham, Jefferson county, Alabama, and which was dedicated as a public highway.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Speaker	Baltzell	Burney
Alford	Barton	Cannon
Altman	Benners	Cooper
Armstrong	Benson	Cranford
Arnold	Bloch	Crum
Arrington	Brown	Dudley
Avery	Bulger	Edwards

Elrod	Lovelady	Rowe
Foster	Lyons	Sample
Glover	Maner	Sanders
Goodwyn	Mastin	Sanford
Gunter	McCrory	Seale
Haley	McMillan	Sherrod
Hoffman	Oliver	Steagall
John	Pearson	Thompson
Jones	Peete	Tunstall
Killen	Power	Turner
King	Pratt	Vann
Kirby	Price	Weaver
Lawson	Rainer	Woolf
Lindsey	Rattray	Williams

—63.

H. 1139. To repeal an act entitled "An act to better provide for the working and maintenance of the public roads of Chambers, Lamar, Lawrence, Lowndes, Clay and Cleburne counties," approved February 18th, 1899, so far as the same relates to Lamar county.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Cooper	Kirby
Alford	Cranford	Lawson
Altman	Crum	Lindsey
Armstrong	Dudley	Lovelady
Arnold	Edwards	Lyons
Arrington	Elrod	Malone
Avery	Foster	Maner
Baltzell	Fuller	Mastin
Barton	Glover	Moore
Benners	Gunter	McCrory
Benson	Haley	Oliver
Bloch	Hoffman	Parker
Brown	Jenkins	Pearson
Bulger	John	Peete
Burney	Killen	Power
Cannon	King	Pratt

Price	Sanford	Tunstall
Ragsdale	Seale	Turner
Rainer	Sherrod	Weaver
Rowe	Steagall	White (Lamar)
Sample	Thompson	

—63.

H. 1223. To require the five thousand dollars required by section 25 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, Alabama, located in the city of Huntsville, approved the 7th day of February, 1907, to be paid over to the county superintendent of education of Madison county for the support of the public schools of the county, to be applied exclusively to the public schools of the county of Madison, outside the city of Huntsville.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	Moore
Alford	Fuller	McCrory
Altman	Glover	McDuffie
Armstrong	Goodwyn	Oliver
Arnold	Gunter	Parker
Arrington	Henley	Pearson
Avery	Hoffman	Peete
Baltzell	Hughston	Power
Barton	John	Pratt
Benners	Jones	Price
Benson	Killen	Ragsdale
Bloch	King	Rainer
Brown	Kirby	Rattray
Bulger	Lindsey	Rowe
Burney	Lovelady	Sample
Cannon	Lyons	Sanders
Cooper	Malone	Sanford
Cranford	Maner	Seale
Crum	Mastin	Sherrod

Steagall
Thompson

Tunstall
Turner

Vann
Weaver

—63.

H. 1221. To prohibit the running or operating of billiard or pool tables for the use of which money or other thing of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Parker
Alford	Gunter	Pearson
Altman	Haley	Peete
Arrington	Jenkins	Power
Avery	John	Pratt
Baltzell	Johnson	Price
Barton	Jones	Ragsdale
Benners	Killen	Rainer
Benson	King	Rattray
Bloch	Kirby	Rowe
Brown	Lawson	Sample
Bulger	Lee (Barbour)	Sanders
Burney	Lee (Etowah)	Sanford
Cannon	Lee (Houston)	Seale
Cooper	Lindsey	Sherrod
Cranford	Lovelady	Steagall
Crum	Lyons	Thompson
Dudley	Malone	Tunstall
Elrod	Maner	Turner
Foster	Mastin	Vann
Fuller	McDuffie	Weaver

—63.

H. 966. To amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26th, 1907.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:**Messrs:—**

Speaker	Glover	Pearson
Alford	Goodwyn	Peete
Altman	Gunter	Power
Arnold	Haley	Pratt
Arrington	Henley	Price
Avery	Hoffman	Ragsdale
Baltzell	Hughston	Rainer
Barton	Jones	Rattray
Benness	Killen	Rowe
Benson	King	Sample
Bloch	Kirby	Sanders
Bulger	Kornegay	Sanford
Burney	Lindsey	Seale
Cannon	Lovelady	Sherrod
Cooper	Lyons	Steagall
Cranford	Maner	Thompson
Crum	Martin	Tunstall
Dudley	Moore	Turner
Edwards	McCrary	Vann
Elrod	Oliver	Weaver
Foster	Parker	Woolf

—63.

H. 1113. To provide for holding one week of each term of the circuit court of Geneva county at Hartford, Alabama; to prescribe the jurisdiction thereof, and regulate the proceedings therein, and to provide a place for holding the same in said town.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:**Messrs:—**

Speaker	Baltzell	Cannon
Alford	Barton	Cooper
Altman	Benson	Cranford
Armstrong	Bloch	Crum
Arnold	Brown	Dudley
Arrington	Bulger	Edwards
Avery	Burney	Elrod

Foster	Lindsey	Rainer
Fuller	Lovelady	Rattray
Glover	Lyons	Rowe
Haley	Malone	Rushton
Henley	Maner	Sample
Hoffman	Mastin	Seale
Hughston	Moore	Sherrod
John	Parker	Steagall
Johnson	Pearson	Thompson
Jones	Peete	Tunstall
Killen	Power	Turner
King	Pratt	Vann
Kirby	Price	Weaver
Lawson	Ragsdale	Woolf

—63.

H. 1170. To provide for the payment of outstanding claims against the fine and forfeiture fund of Morgan county, to provide for the issuing and payment of all witness certificates in behalf of the State out of the fine and forfeiture fund, authorize and direct the county treasurer to appropriate and transfer from the general funds of the county to the fine and forfeiture fund a sufficient amount to pay witness certificates, and to provide for quarterly reports of the condition of said funds.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Haley
Alford	Bulger	John
Altman	Burney	Jones
Armstrong	Cannon	Killen
Arnold	Cooper	King
Arrington	Cranford	Kirby
Avery	Crum	Lawson
Baltzell	Dudley	Lindsey
Barton	Elrod	Lovelady
Benners	Foster	Lyons
Benson	Goodwyn	Malone
Bloch	Gunter	Maner

Mastin	Price	Seale
Moore	Ragsdale	Sherrod
McCrory	Rainer	Steagall
Oliver	Ratray	Thompson
Parker	Rowe	Tunstall
Pearson	Rushton	Turner
Peete	Sample	Vann
Power	Sanders	Weaver
Pratt	Sanford	Woolf

—63.

H. 1169. To establish an inferior court in precinct No. 10 in Morgan county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, and to define the jurisdiction and powers of said court and the judge thereof.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Parker
Alford	Fuller	Pearson
Altman	Gunter	Peete
Armstrong	Haley	Power
Arnold	Henley	Pratt
Arrington	Hoffman	Price
Avery	Hughston	Ragsdale
Baltzell	Jones	Rainer
Barton	Killen	Ratray
Benners	King	Rowe
Benson	Kirby	Sample
Bloch	Lawson	Sanders
Brown	Lindsey	Sanford
Bulger	Lovelady	Sherrod
Burney	Lyons	Steagall
Cannon	Maner	Thompson
Cooper	Mastin	Tunstall
Cranford	Moore	Turner
Crum	McCrory	Vann
Dudley	Norville	Weaver
Elrod	Oliver	Woolf

—63.

BILL ON SECOND READING.

Mr. Gunter, chairman of the standing committee on Municipal Organization, reported that said committee in session had acted on the following bill and order same returned to the House with a favorable report:
By Mr. Hinson, (Municipal Organization):

S. 375. To repeal an act entitled "An act to incorporate the town of Hayneville.

The above and foregoing bill was read a second time, and placed on the calendar.

BILLS ON THIRD READING.

H. 965. To fix the times and place of holding the chancery court in the eighth district of the Northern division, composed of the county of Madison.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Peete
Alford	Haley	Power
Altman	Henley	Pratt
Arnold	Hoffman	Price
Arrington	John	Ragsdale
Avery	Johnson	Rainer
Baltzell	Jones	Rattray
Barton	Killen	Rowe
Benners	King	Rushton
Benson	Kirby	Sample
Bloch	Kornegay	Sanders
Brown	Lovelady	Sanford
Cooper	Lyons	Seale
Cranford	Malone	Sherrod
Crum	Maner	Steagall
Edwards	Mastin	Thompson
Elrod	Moore	Tunstall
Foster	McCrory	Turner
Fuller	Oliver	Vann
Glover	Parker	Weaver
Goodwyn	Pearson	Woolf

H. 1064. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plans and survey of Smithfield by Dr. Jos. R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Sally avenue. All of Joseph street lying between Valley Creek canal and Irene avenue. All of Mortimer street lying between Valley Creek canal and Agnes avenue. All of Agnes avenue lying between Valley Creek canal and Mortimer street.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Moore
Alford	Glover	Oliver
Altman	Goodwyn	Parker
Armstrong	Gunter	Pearson
Arnold	Haley	Peete
Arrington	Hughston	Power
Avery	Jenkins	Pratt
Baltzell	John	Price
Barton	Johnson	Ragsdale
Benners	Jones	Rainer
Benson	Killen	Rattray
Bloch	King	Rowe
Brown	Kirby	Rushton
Bulger	Lawson	Seale
Burney	Lindsey	Sherrod
Cannon	Long (Butler)	Steagall
Cooper	Lovelady	Thompson
Cranford	Lyons	Tunstall
Crum	Malone	Turner
Dudley	Maner	Vann
Elrod	Mastin	Weaver

—63.

H. 1213. To amend section five of an act approved February 22nd, 1907, entitled "An act to prohibit the sale, barter, exchange, giving away, lending, delivering

or otherwise disposing of spirituous, malt liquors, intoxicating beverages, bitters or proprietary medicines in Lamar county, Alabama, and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or malt liquors, intoxicating beverages or intoxicating bitters, or intoxicating proprietary medicines from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, or intoxicating proprietary medicines, in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, or intoxicating bitters, or intoxicating proprietary medicines by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telephone or telegraph company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters or intoxicating proprietary medicines to any point within this State, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict herewith.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Burney	Glover
Alford	Cannon	Gunter
Altman	Cooper	Haley
Armstrong	Cranford	Henley
Arnold	Crum	Hoffman
Arrington	Dudley	John
Avery	Edwards	Johnson
Baltzell	Elrod	Jones
Barton	Foster	Killen
Benners	Fuller	King

Kirby	Oliver	Sanford
Lawson	Parker	Seale
Lindsey	Pearson	Sherrod
Lovelady	Peete	Steagall
Lyons	Power	Thompson
Mastin	Pratt	Tunstall
Mitchell	Price	Turner
Moore	Rainer	Vann
McCrary	Ratray	Weaver
McMillan	Rowe	Williams
Norville	Sample	Woolf

--63.

H. 1018. To authorize an election in the county of Talladega, to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Crum	Mitchell
Alford	Dudley	McDuffie
Altman	Edwards	McMillan
Armstrong	Elrod	Norville
Arnold	Jenkins	Oliver
Arrington	John	Parker
Avery	Johnson	Pearson
Baltzell	Jones	Peete
Barton	King	Power
Benners	Kirby	Pratt
Benners	Lawson	Price
Bloch	Lindsey	Ragsdale
Brown	Lovelady	Rainer
Bulger	Lyons	Ratray
Burney	Malone	Rowe
Cannon	Maner	Rushton
Cooper	Mastin	Sample
Cranford	Middleton	Sanders

Sanford	Tunstall	Weaver
Sherrod	Turner	Weaver
Steagall	Vann	Woelf

—63.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bill:

S. 474. To fix and provide for the salary of the chancellor of the Southwestern division of the State of Alabama.

And sends same herewith to the House with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made at the present Legislature of Alabama, which will meet in July, 1907, for the passage of an act substantially as follows:

A bill to be entitled an act, to fix and provide for the salary of the chancellor of the Southwestern chancery division of the State of Alabama.

Section 1, Be it enacted by the Legislature of Alabama, that the salary of the chancellor of the southwestern chancery division of the State of Alabama, be, and it is hereby fixed at the sum of four thousand dollars per annum, and that he shall be paid out of the State treasury the same sum as is now or shall hereafter be authorized by law to be paid to other chancellors out of the State treasury, and such sum out of the treasury of Mobile county, Alabama, as will when added to the amount paid out of the State treasury equal to the salary of said chancellor as fixed by this act.

Thomas H. Smith.

The State of Alabama, }
 Mobile County. }

Before me, Charles L. Bromberg, a notary public in and for said State and county, personally appeared

Thomas B. Allman, who is known to me, and who after being by me first duly sworn on oath says, that he is the cashier of "The Daily Herald," a newspaper regularly published in Mobile, Mobile county, Alabama.

Affiant further says, that the foregoing notice hereto attached and hereby referred to as a part of this affidavit, was published in "The Daily Herald," once a week for four (4) consecutive weeks in the issues of said newspaper published on the following dates, viz: May 16th May 23rd, May 30th and June 6th, 1907. May 16th, May 23rd, May 30th and June 6th, 1907.

Sworn to and subscribed before me this 5th day of July A. D., 1907.

Chas. L. Bromberg,
Notary Public, Mobile County, Alabama.

S. 475. To fix and provide for the salary of the judge of the thirteenth judicial circuit of Alabama.

And sends same herewith to the House without engrossment with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made at the present Legislature of Alabama, which will meet in July, 1907, for the passage of an act substantially as follows:

A bill to be entitled an act to fix and provide for the salary of judge of the thirteenth judicial circuit of Alabama.

Section 1. Be it enacted by the Legislature of Alabama, that the salary of the judge of the thirteenth judicial circuit of Alabama, be, and it is hereby fixed at the sum of four thousand dollars per annum and that he shall be paid out of the State treasury the same sum as is now or shall hereafter be authorized by law to be paid to other circuit judges out of the State treasury, and such sum out of the treasury of Mobile county,

Alabama, as will when added to the amount paid out of the State treasury be equal to the salary of said judge as fixed by this act.

Samuel B. Browne.

The State of Alabama, }
Mobile County. }

Before me, Charles L. Bromberg, a notary public in and for said State and county, personally appeared Thomas B. Allman, who is known to me, and who after being by me first duly sworn on oath says, that he is the cashier of "The Daily Herald," a newspaper regularly published in Mobile, Mobile county, Alabama.

Affiant further says, that the foregoing notice hereto attached and hereby referred to as a part of this affidavit, was published in "The Daily Herald," once a week for four, (4), consecutive weeks in the issues of said newspaper published on the following dates, viz: May 16th, May 23rd, May 30th and June 6th, 1907.

Thomas B. Allman.

Sworn to and subscribed before me this 5th day of July, A. D. 1907.

Chas. L. Bromberg,
Notary Public, Mobile County, Alabama.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message, were read one time and referred to appropriate standing committee as follows:

Revision of Laws, S. 474, S. 475.

J. A. Kyle,
Secretary.

BILLS ON THIRD READING.

H. 1184. To amend an act entitled an act to prevent the running at large of stock in certain portions of Elmore county, approved February 18th, 1891.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	McMillan
Alford	Edwards	Oliver
Altman	Elrod	Parker
Armstrong	Fuller	Pearson
Arnold	Goodwyn	Peete
Arrington	Gunter	Power
Avery	Haley	Pratt
Ballard (Autauga)	Henley	Ragsdale
Ballard (Pike)	Hughston	Rainer
Baltzell	Jenkins	Rattray
Barton	John	Rowe
Benners	Jones	Sample
Benson	Killen	Sanders
Bloch	King	Sanford
Brown	Kirby	Seale
Bulger	Lindsey	Sherrod
Burney	Lovelady	Tunstall
Cannon	Lyons	Turner
Cooper	Maner	Vann
Cranford	Mastin	Weaver
Crum	Moore	Woolf

—63.

H. 1165. To amend an act entitled "An act to establish a separate school district to be known as the Elba school district in Coffee county, Alabama, and to provide for the management of the public schools in said district," approved February 28th, 1901, as amended by an act approved September 28th, 1903.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Power
Alford	Gunter	Pratt
Altman	Haley	Pugh
Armstrong	Jenkins	Ragsdale
Arnold	John	Rainer
Arrington	Johnson	Rattray
Avery	Jones	Rowe
Baltzell	Killen	Rushton
Barton	King	Sample
Brown	Kirby	Sanders
Bulger	Lawson	Sanford
Burney	Lindsey	Seale
Cannon	Lyons	Sherrod
Cranford	Malone	Steagall
Crum	Maner	Thompson
Dudley	Mastin	Tunstall
Edwards	McCrary	Turner
Elrod	McDuffie	Vann
Foster	Oliver	Weaver
Fuller	Parker	Williams
Glover	Peete	Woolf

—63.

H. 1162. To amend an act entitled an act to provide for holding separate terms of the circuit court for Coffee county in the Twelfth judicial circuit at Enterprise, for the following portions of Coffee county, to-wit: Township 3, range 22; township 4, range 22; township 5, range 22; township 3, range 21; township 4, range 21; the east one half of township 3, range 20; the following sections in township four, range 20, to-wit: 13, 22, 23, 24, 25, 26, 27, 34, 35, 36; and all that portion of the territory in township 6, range 22; township 7, range 22; township 5, range 21; township 6, range 21, lying south of Pea river, and to regulate the holding of such court; to provide buildings and accommodations therefor, making its jurisdiction within such district exclusive of the jurisdiction it exercises when sitting at Elba, in said county of Coffee; defining the powers of the

judge and clerk thereof, and regulating the drawing of its grand and petit jurors, and providing for the transfer of causes from the circuit court at Elba to said court held at Enterprise and from the latter to the former, approved February 28th, 1907.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Messrs:—	Goodwyn	Oliver
Speaker	Gunter	Parker
Alford	Haley	Pearson
Altman	Henley	Peete
Arnold	Hoffman	Power
Arrington	Jenkins	Pratt
Avery	John	Ragsdale
Baltzell	Jones	Rainer
Barton	Killen	Rattray
Benners	King	Rowe
Benson	Kirby	Rushton
Brown	Lawson	Sample
Bulger	Lindsey	Sanders
Cannon	Lyons	Seale
Cooper	Malone	Sherrod
Cranford	Maner	Steagall
Crum	Mastin	Thompson
Dudley	Mitchell	Tunstall
Edwards	Moore	Turner
Elrod	McDuffie	Vann
Fuller	Norville	Wolf
Glover		

—63.

H. 1041. To increase and fix the compensation of jurors, grand and petit, who serve in the circuit court of Winston county.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Judiciary:

Amend section 1 of the bill by striking out in section one, line 2, the words and figures "and fifty cents, "50" And the amendment was adopted.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Mastin
Alford	Fuller	Moore
Altman	Glover	McCrary
Armstrong	Goodwyn	McDuffie
Arnold	Gunter	Parker
Arrington	Haley	Pearson
Avery	Henley	Peete
Baltzell	Hughston	Power
Barton	Jenkins	Pratt
Benness	John	Price
Benson	Johnson	Rainer
Bloch	Jones	Rowe
Brown	Killen	Rushton
Bulger	King	Sample
Burney	Kirby	Sanders
Cannon	Lawson	Sanford
Cooper	Lindsey	Seale
Cranford	Lovelady	Sherrod
Crum	Lyons	Steagall
Edwards	Malone	Vann
Elrod	Maner	Weaver

—63.

And the bill:

H. 1041. To increase and fix the compensation of jurors, grand and petit, who serve in the circuit court of Winston county.

As amended, was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Baltzell	Burney
Alford	Barton	Cannon
Altman	Benness	Cooper
Armstrong	Benson	Cranford
Arnold	Bloch	Crum
Arrington	Brown	Dudley
Avery	Bulger	Edwards

Elrod	Lovelady	Rainer
Foster	Lyons	Ratray
Fuller	Malone	Rowe
Glover	Maner	Rushton
Haley	Mastin	Sample
Henley	Mitchell	Sanders
Hoffman	Moore	Sanford
John	Oliver	Seale
Johnson	Parker	Steagall
Killen	Pearson	Thompson
King	Peete	Tunstall
Kirby	Power	Turner
Lawson	Pratt	Vann
Lindsey	Price	Weaver

—63.

RECOMMITTAL OF BILL.

On motion of Mr. Lancaster, the bill, H. 1185, was taken from the calendar and recommitted to the standing committee on County and County Boundaries.

BILLS ON THIRD READING.

H. 955. To amend an act entitled an act to regulate the city court of Birmingham in the practice and procedure in said court; to provide for judges thereof, their election, term of office, removal, power and salary; for the election, term of office, bond, removal and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery and other supplies for the holding of said court," approved February 26th, 1907.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Baltzell	Brown
Alford	Barton	Bulger
Altman	Benners	Burney
Arnold	Benson	Cannon
Avery	Bloch	Cooper

Cranford	Lyons	Ragsdale
Crum	Malone	Rainer
Foster	Maner	Rattray
Glover	Mastin	Rowe
Haley	Moore	Rushton
Hoffman	McCrory	Sample
Jenkins	McDuffie	Sanders
John	McMillan	Sanford
Johnson	Norville	Seale
Jones	Oliver	Sherrod
Killen	Parker	Steagall
King	Pearson	Thompson
Kirby	Peete	Tunstall
Lawson	Power	Turner
Lindsey	Pratt	Vann
Lovelady	Price	Weaver

—63.

H. 956. To provide for the appointment by the judges of the city court of Birmingham of the necessary bailiffs for said court and to fix the duties, powers, liabilities and compensations of said bailiffs and to provide for the payment of their compensation.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Burney	Jones
Alford	Cannon	Killen
Altman	Cooper	King
Armstrong	Cranford	Kirby
Arnold	Crum	Lawson
Arrington	Dudley	Lindsey
Avery	Gunter	Lovelady
Baltzell	Haley	Lyons
Barton	Henley	Malone
Benness	Hoffman	Maner
Benson	Hughston	Mastin
Bloch	Jenkins	Mitchell
Brown	John	Moore
Bulger	Johnson	McMillan

Oliver	Ragsdale	Steagall
Parker	Rainer	Thompson
Pearson	Ratray	Tunstall
Peete	Rowe	Turner
Power	Rushton	Vann
Pratt	Sanders	Weaver
Price	Sherrod	Woolf

—63.

H. 953. To provide how the salaries of circuit judges whose salaries are partly paid by the counties in which said judges hold court, shall be paid.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Pratt
Alford	Glover	Price
Altman	Goodwyn	Ragsdale
Armstrong	Gunter	Rainer
Arnold	Haley	Ratray
Arrington	Henley	Rowe
Avery	Hoffman	Rushton
Baltzell	John	Sample
Barton	Jones	Sanders
Benners	Lawson	Sanford
Benson	Lindsey	Seale
Bloch	Lovelady	Sherrod
Brown	Lyons	Smith (Lee)
Bulger	Malone	Steagall
Burney	Maner	Thompson
Cannon	Mastin	Tunstall
Cooper	Oliver	Turner
Cranford	Parker	Vann
Crum	Pearson	Weaver
Dudley	Peete	Woolf
Elrod	Power	Williams

—63.

H. 1135. To repeal an "Act to provide for the establishing of a separate school district to be known as the

Oxmoor district, at Oxmoor in Jefferson county, Alabama, with certain powers and privileges of levying taxes to sustain said school," approved February 9th, 1877.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Elrod	Power
Alford	Foster	Pratt
Altman	Fuller	Price
Armstrong	Glover	Ragsdale
Arnold	Goodwyn	Rainer
Arrington	Gunter	Ratray
Avery	Haley	Rowe
Baltzell	Henley	Rushton
Barton	Hoffman	Sample
Benners	Hughston	Sanders
Benson	Jenkins	Sanford
Bloch	John	Seale
Brown	Jones	Sherrod
Bulger	Lawson	Steagall
Burney	Lindsey	Thompson
Cannon	Lovelady	Tunstall
Cooper	Lyons	Turner
Cranford	Malone	Vann
Crum	Maner	Weaver
Dudley	Mastin	Williams
Edwards	Oliver	Wolf

—63.

H. 1178. To establish and regulate the Sylacauga division of the circuit court of Talladega county, confer upon it chancery jurisdiction, fix the time and place for holding said court, provide for drawing and empanneling juries therein and prescribe the liability of persons residing within its territorial jurisdiction to jury service and the rules of procedure in said court.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Judiciary, said amendment being as follows:

Amend by striking out section 8 as it appears in the original bill and in lieu thereof insert the following:

8. The clerk of the circuit court of said county, either in person or by deputy, shall keep an office in the place provided for holding said court; such deputy to be employed by said clerk at his own expense, and said clerk to be responsible for his official acts; as clerk of said court in all cases at law, such deputy to have power and authority to do and perform, in all actions at law, in the name of said clerk, all acts and duties, judicial and ministerial, of every kind and description in reference to actions at law pending in said court, which said clerk of the circuit court could lawfully do and perform, including generally the power to take and certify acknowledgements and affidavits, and to issue process in actions at law. Said clerk, or his deputy, shall keep in his office all the dockets, books and papers pertaining to all actions at law pending in said court, and shall perform all the duties in reference thereto, and be liable to the same penalties and receive the same fees and compensation prescribed by law for like services of clerks of the circuit court in actions at law, in the circuit courts of this State. The register in chancery shall issue all process in equity in said court and shall perform all the duties required of registers in chancery in cases arising in equity in said court, and be entitled to receive the same fees, and be liable to the same penalties as registers in chancery.

And the amendment was adopted.

Yeas, 40; nays, 20.

Yeas:

Messrs:—

Speaker	Dudley	King
Alford	Foster	King
Altman	Fuller	Kirby
Arnold	Glover	Lindsey
Benson	Haley	Lyons
Bloch	Henley	Malone
Brown	Hoffman	Maner
Bulger	Jenkins	Moore
Cooper	John	McCrory

Oliver	Rowe	Sherrod
Parker	Sample	Turner
Pratt	Sanford	Weaver
Rainer	Seale	Woolf
Rattray		

—40.

Nays:

Messrs:—

Avery	Edwards	Pearson
Baltzell	Elrod	Peete
Barton	Johnson	Price
Cannon	Killen	Rushton
Carmichael (Clay)	Lawson	Sanders
Crum	Lee (Barbour)	Yann
Doyle (Marengo)	Middleton	

—20.

And the bill:

H. 1178. To establish and regulate the Sylacauga division of the circuit court of Talladega county, confer upon it chancery jurisdiction, define the territorial limits of its jurisdiction, fix the time and place for holding said court, provide for drawing and empaneling juries therein and prescribe the liability of persons residing within its territorial jurisdiction to jury service and the rules of procedure in said court.

As amended was read a third time, at length, and passed.

Yeas, 40; nays, 20.

Yeas:

Messrs:—

Speaker	Foster	Kirby
Alford	Fuller	Lindsey
Altman	Glover	Lyons
Arnold	Haley	Malone
Benson	Henley	Maner
Bloch	Hoffman	Moore
Brown	Jenkins	McCrory
Bulger	John	Oliver
Cooper	Jones	Parker
Dudley	King	Pratt

Rainer
Rattray
Rowe
Sample

Sanford
Seale
Sherrod

Turner
Weaver
Woolf

—40.

Nays:

Messrs:—

Avery
Baltzell
Barton
Cannon
Carmichael (Clay)
Crum
Doyle (Marengo)

Edwards
Elrod
Johnson
Killen
Lawson
Lee (Barbour)
Middleton

Pearson
Peete
Price
Rushton
Sanders
Vann

—20.

H. 1055. For the relief of C. D. Horn; to authorize the court of county commissioners of Sumter county to issue a new warrant in favor of said C. D. Horn in lieu of warrant No. 12216 which was barred before being presented for payment.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker
Alford
Altman
Arnold
Arrington
Avery
Baltzell
Barton
Benners
Benson
Bloch
Brown
Bulger
Burney
Cannon
Cooper

Cranford
Crum
Dudley
Edwards
Elrod
Foster
Fuller
Glover
Goodwyn
Gunter
Haley
John
Johnson
Jones
Killen
King

Kirby
Lawson
Lovelady
Lyons
Maner
Mastin
Moore
McCrary
McDuffie
Oliver
Pearson
Peete
Power
Pratt
Price
Ragsdale

Rainer	Sanders	Thompson
Ratray	Sanford	Tunstall
Rowe	Seale	Turner
Rushton	Sherrod	Vann
Sample	Steagall	Weaver

—63.

Mr. Goodwyn moved that when the House adjourn this afternoon that it adjourn to meet Friday morning at 8:30 o'clock.

And the motion prevailed.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bills:

S. 260. To detach the county of Winston from the Northwestern chancery division of Alabama; to confer equity jurisdiction on the circuit court of said county; to provide for the appointment of a register for the equity side of said circuit court.

And sends same to the House, with notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that at the next session of the Legislature of Alabama, application will be made for the passage of an act detaching Winston county from the Northwest chancery division and confer equity jurisdiction on the judge of the circuit court of said county. Said act will provide that all causes pending at the time of the passage in chancery causes shall be heard and determined in the chancery court of the Northwest chancery division at Jasper, Alabama, and that all causes in equity filed after the passage of said act in Winston county shall be filed, heard and determined in the circuit court of Double Springs, Alabama. Said act will provide for the appointment of a register for the equity side of said circuit court. Dated for publication this December 21, 1906.

Z. McVay.

The State of Alabama, }
 Winston County. }

Before me, B. J. Cowart, a notary public in and for said county, this day personally came G. W. Adkins, known to me to be the editor and manager of the New Era, a weekly newspaper published at Double Springs, Alabama, in said county, who, being by me duly sworn, deposes and says that the attached notice for the passage of an act detaching Winston county from the Northwestern chancery division, and confer equity jurisdiction on the judge of the circuit court of said county has been published once a week for four consecutive weeks in said newspaper next before the making of this affidavit.

Geo. W. Adkins.

Sworn to and subscribed before me, this the 17 day of January, 1907.

B. J. Cowart,
 Notary Public.

S. 356. To repeal an act entitled an act in relation to trials of misdemeanors in Fayette county, Alabama, approved December 13, 1900.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Is hereby given of the intention to apply to the next ensuing session of the Legislature of Alabama for the passage of the following law:

AN ACT

To repeal an act entitled "An act in relation to trials of misdemeanors in Fayette county, Alabama," approved December 13th, 1900.

Section 1. Be it enacted by the Legislature of Alabama, That the act entitled "An act in relation to the trials of misdemeanors in Fayette county, Alabama," approved December 13, 1900, be and the same is hereby repealed.

Section 2. Be it further enacted, That this act shall take effect immediately after its passage.

The State of Alabama, }
 Fayette County. }

Before me, Robert F. Peters, notary public and ex-officio justice of the peace in and for said county and State, personally came R. J. Smith, who is personally known to me to be the publisher of the Fayette Banner, who, being by me duly sworn, deposes and says, that the attached notice of the introduction of a bill in the Legislature, to repeal an act entitled "An act in relation to trials of misdemeanors in Fayette county, Alabama," approved December 13th, 1900, was published once a week for four consecutive weeks in said newspaper before making this affidavit on this day.

R. J. Smith,
 Publisher of Fayette Banner.

Sworn to and subscribed before me this January 28th, 1907.

Robert F. Peters,
 N. P. & Ex. Officio J. P.

S. 411. To divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that the present Legislature will be asked to pass a bill to be entitled an act to divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district.

The State of Alabama, }
 Lowndes County. }

Before me, J. C. Wood, judge of probate, personally appeared Mrs. Estelle Garrett, who being by me first duly sworn says on oath that she is the proprietress of

the Citizen-Examiner, a newspaper published in Lowndes county, Alabama, and that the notice hereinabove set out was published in said newspaper once a week for four successive weeks ending March the 7th, 1907.

Mrs. Estelle Garrett.

Subscribed and sworn to before me on this the 8th day of July, 1907.

J. C. Wood,

Judge of Probate of Lowndes County.

S. 412. To provide for the compensation of the deputy solicitor of Lowndes county.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature to pass a local law for Lowndes county, providing that the deputy solicitor for Lowndes county may collect and retain for his services the fees and commission earned by him in the county court, during the year, not to exceed seven hundred and fifty (\$750.00) dollars per annum.

AFFIDAVIT.

The State of Alabama, }
Lowndes County. }

Before me, J. C. Wood, judge of probate of said county, personally appeared Mrs. Estelle Garrett, publisher and proprietress of the Citizen-Examiner, a newspaper published in said county, who being by me duly sworn, deposes and saith on oath, that the foregoing notice was published once a week for four successive weeks, ending April 25th, 1907.

Mrs. Estelle Garrett,

Affiant.

Sworn to and subscribed before me this the 6th day of July, 1907.

J. C. Wood,

Judge of Probate.

S. 413. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within two (2) miles of any church or house used for religious worship in the town of Sanford, in Covington county, Alabama, and to provide punishment for the violations of this act.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the present Legislature of Alabama, now in session, to pass a law preventing the sale, barter, exchange or giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within two miles of any church or house used for religious worship in the town of Sanford, in Covington county, Alabama.

H. G. McLaney,
J. D. Henderson,
J. O. Waits.

The State of Alabama,)
Covington County. }

Before me, J. M. Robinson, Jr., judge of probate, in and for said State and county, this day personally appeared A. Whaley, who, being duly and legally sworn, deposes and says: That he is one of the editors and proprietors of The Andalusia Times, a newspaper published at Andalusia, in Covington county, Alabama, and that the above and foregoing notice has been published once a week for four (4) consecutive weeks in said newspaper, beginning with the issue of February 13th, 1907.

A. Whaley.

Sworn to and subscribed before me this the 6th day of July, 1907.

J. M. Robinson, Jr.,
Judge of Probate.

S. 414. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within the territory now embraced in election precinct number nine (9), in Covington county, Alabama, except within the present corporate limits of the town of Florala, and to provide punishment for violation of this act.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama, at the adjourned term of its present session, which reconvenes on the 9th day of July, 1907, to pass a law preventing the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within the territory now embraced in election precinct No. nine (9), in Covington county, Alabama, except within the corporate limits of the town of Florala.

The State of Alabama, }
Covington County. }

Before me, Tif F. Plummer, a notary public in and for said State and county, this day personally appeared Edward Doty, who, being duly and legally sworn, deposes and says: That he is the editor and proprietor of The Andalusia News, a newspaper published weekly at Andalusia, in Covington county, Alabama, and that the above and foregoing notice has been published once a week for four (4) consecutive weeks in said newspaper, beginning with the issue of June 6th, 1907.

Edward Doty.

Sworn to and subscribed before me this the 6th day of July, 1907.

Tif F. Plummer,
Notary Public.

S. 488. To increase the salary of the solicitor of the county of Etowah as now fixed by law and to fix the same and to provide for its payment.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

The State of Alabama, }
County of Etowah. }

Pursuant to constitutional requirement notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama, for the purpose of increasing the salary of the solicitor for Etowah county, as now fixed by law, fix the same and to provide for the time and manner of payment.

June 8th, 1907.

The State of Alabama, }
Etowah County. }

Personally appeared before me, A. R. Brindley, a notary public, in and for aforesaid State and county, Chas. E. Meeks, who being by me first duly sworn says: that he is the eidtor and publisher of the Gadsden Times-News, a newspaper published in Gadsden, Etowah county, Alabama, and that the notice hereto attached giving notice of the proposed introduction of a bill in the Legislature to increase the salary of the solicitor of Etowah county, Alabama, has been published in the said Gadsden Times-News, once a week for four consecutive weeks; that said notice was first published in said newspaper on the 8th day of June, 1907, and consecutively each week thereafter until published for four consecutive weeks.

Chas. E. Meeks.

Sworn to and subscribed before me this the 5th day of July, 1907.

A. R. Brindley,
Notary Public.

S. 491. To vacate and annul the dedication of the following highways and parts of highways, situated in Birmingham, Jefferson county, Alabama, to-wit:

All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property.

All of Eighth street from First avenue, north, to the right of way of the Alabama Great Southern Railroad Company.

All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee, Coal, Iron & Railroad Co.

And sends same to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
Jefferson County. }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me, and who being duly sworn deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the fifteenth day of June, 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the fifteenth day of June 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 15th, 22nd and 29th days of June, and on the 6th day of July, 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama to pass a local law to vacate and annul the dedication of the following highway and parts of highways, situated in Birmingham, Jefferson county, Alabama, to-wit:

All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property.

All of Eighth street from First avenue, north, to the right-of-way of the Alabama Great Southern Railroad Company.

All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron & Railroad Company.

Lee C. Bradley,
Thomas B. Smith.

Sworn to and subscribed before me this the 8th day of July, A. D., 1907.

Lutie Chisholm,
Notary Public.

S. 496. To amend section 12 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, located in the city of Huntsville, approved Feb., 1907, and to add section 13 1-2 thereto.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
Madison County. }

Before me W. F. Esslinger a notary public in and for said State and county this day personally appears R. L. O'Neal who being duly sworn says that the following notice, to-wit:

NOTICE.

Is hereby given that substantially the following bill will be introduced at the July term of the legislature:

A BILL

A bill to be entitled an act to amend section 12 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison coun-

ty, located in the city of Huntsville, approved February, 1907, and to add section 13 1-2 thereto.

Be it enacted by the legislature of Alabama:

1. Section 12 of an act entitled an act to establish maintain, regulate and make efficient a dispensary for Madison county, approved February, 1907, is hereby amended by striking out the following portion thereof: He shall also keep in said dispensary a book or books in which shall be entered the date and amount of each purchase with the signature of the purchaser, or if he cannot write his name shall be written by the dispenser or his clerk or assistant. Said book or books shall be subject to inspection or examination by the grand juries of said county, and when properly identified shall be prima facie evidence of its contents in any of the courts of the State.

2. Section 13 1-2 is hereby added to said act which shall read as follows: 13 1-2. It shall be unlawful for any minor to enter said dispensary, unless in company with his parent or guardian, without the written order or consent of such parent or guardian to the dispenser; and any minor violating the provisions hereof shall be guilty of a misdemeanor, and on conviction fined not less than ten nor more than fifty dollars. It shall be the duty of the dispenser to arrest forthwith any minor violating the provisions hereof.

Was published once a week for four consecutive weeks on the following dates, to-wit: June 5, 12, 19 and 26, 1907, in the Weekly Mercury, a newspaper published in said county of Madison and that affiant is the editor and publisher of said newspaper.

R. L. O'Neal.

Sworn to and subscribed before me this the 8th day of July, 1907.

W. F. Esslinger, Notary Public.

S. 497. To provide that no license or tax of any character shall be required by State, county or municipality from the Tennessee Valley Fair Association or from

those who conduct business under contracts with it on its grounds during the time its annual fair is actually in progress.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
Madison County. }

Before me, Rachel Tomlinson, notary public in and for said county and State this day personally appeared R. L. O'Neal, who being duly sworn, deposes and says that the following notice of intention to apply for a local law, to-wit:

NOTICE.

Notice is hereby given that at the adjourned session of the present session of the legislature of Alabama, beginning July 9th, 1907, substantially the following bill will be offered for passage:

A BILL

To be entitled an act to provide that no license or tax of any character shall be required by State, county, municipality from the Tennessee Valley Fair Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

Section 1. Be it enacted by the legislature of Alabama that no license or tax of any character shall be required by State, county or municipality from the Tennessee Valley Fair Association or of those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

Section 2. That all laws or parts of laws in conflict with the provisions of this act are hereby repealed.

Was published once a week for four consecutive weeks upon the following dates, to-wit: June 12, 19, 26 and

July 3, 1907, in The Weekly Mercury, a newspaper published in Madison county, Alabama, and that affiant is the publisher and proprietor of said newspaper.

R. L. O'Neal.

Sworn to and subscribed before me this 8th day of July, 1907.

Rachel Tomlinson,
Notary Public.

S. 169. To amend section 4417 of the Code of Alabama.

And sends same herewith to the House.

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

And sends same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message, were read one time and referred to appropriate standing committee, as follows:

Judiciary, S. 260.

Local Legislation, S. 356, S. 412, S. 488, S. 491.

County and County Boundaries, S. 411.

Temperance, S. 413, S. 414, S. 496.

Ways and Means, S. 497.

Revision of Laws, S. 169.

Municipal Organization, S. 509.

BILLS ON THIRD READING.

H. 1115. To require the judge of probate of Geneva county, Alabama, to keep an office at Hartford and to provide for recording therein deeds, deeds of trust, mort-

gages, or instruments in the nature of a mortgage, or other instrument authorized or required by law to be recorded.

Yeas, 63; nays, 0.

Was read a third time, at length, and passed.

Yeas:

Messrs:—

Speaker	Foster	McMillan
Alford	Fuller	Norville
Altman	Glover	Oliver
Armstrong	Goodwyn	Feete
Arnold	Gunter	Power
Avery	Haley	Pratt
Baltzell	Hoffman	Price
Barton	Hughston	Ragsdale
Benners	John	Rainer
Benson	Johnson	Rattray
Bloch	Jones	Rowe
Brown	Killen	Rushton
Bulger	King	Sample
Burney	Kirby	Sanders
Cannon	Lawson	Sanford
Cooper	Lindsey	Seale
Cranford	Lovelady	Sherrod
Crum	Lyon	Turner
Dudley	Malone	Vann
Edwards	Maner	Weaver
Elrod	Martin	Woolf

—63.

H. 1116. To provide for an election to remove the county seat of Geneva county, Alabama, from the town of Geneva to the town of Hartford, if a majority of the qualified electors of said county at such election shall vote for such removal, and to provide for changing the county seat, and the erection of necessary county buildings and offices.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Elrod	Mastin
Alford	Foster	Moore
Altman	Fuller	McCrory
Armstrong	Glover	Oliver
Arnold	Goodwyn	Power
Arrington	Gunter	Pratt
Avery	Haley	Price
Baltzell	Hoffman	Rainer
Barton	Hughston	Ratray
Benners	Jenkins	Rowe
Benson	John	Rushton
Bloch	Jones	Sanders
Brown	Killen	Sanford
Bulger	King	Seale
Burney	Kirby	Sherrod
Cannon	Lawson	Thompson
Cooper	Lindsey	Tunstall
Cranford	Lovelady	Turner
Crum	Lyons	Vann
Dudley	Malone	Weaver
Edwards	Maner	Woolf

—63.

H. 889. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Benners	Crum
Alford	Benson	Edwards
Altman	Bloch	Elrod
Armstrong	Brown	Foster
Arnold	Burney	Fuller
Arrington	Cannon	Glover
Avery	Cooper	Gunter
Barton	Cranford	Haley

Henley	Maner	Sanders*
Hughston	Mastin	Sanford
Jenkins	Moore	Seale
John	Oliver	Sherrod
Johnson	Pearson	Tunstall
Jones	Peete	Turner
King	Power	Vann
Kirby	Pratt	Weaver
Lawson	Price	White (Lamar)
Lindsey	Ragsdale	White (Perry)
Lovelady	Rainer	Williams
Lyons	Rowe	Woolf
Malone	Rushton	

—63.

ADJOURNMENT.

The hour of 6 o'clock having arrived, the House adjourned until 8:30 Friday morning.

FORTY-SECOND DAY.

House of Representatives,
Friday, July 19, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by the Rev. Mr. Price, of the House.

ROLL CALL.

On a call of the roll of the House the following members answered to their names:

Messrs:—

Speaker	Arrington	Benson
Alford	Ballard (Autauga)	Bloch
Altman	Ballard (Pike)	Brown
Armstrong	Balizell	Bulger
Arnold	Barton	Burney
Avery	Benness	Cannon

Carmichael (Clay)	Lancaster	Pratt
Coleman (Lowndes)	Lawson	Price
Cooper	Lee (Barbour)	Ragsdale
Cranford	Lee (Etowah)	Rainer
Crum	Lee (Houston)	Rattray
Doyle (Clark) *	Lindsey	Rice
Dudley	Long (Butler)	Rowe
Edwards	Lovelady	Rushton
Elrod	Malone	Sample
Foster	Maner	Sanders
Fuller	Mastin	Sanford
Glover	Middleton	Seale
Goodwyn	Mitchell	Sherrod
Gunter	Moore	Smith (Elmore)
Haley	McCrary	Smith (Franklin)
Henley	McDuffie	Smith (Lee)
Hoffman	McMillan	Steagall
Hughston	Norville	Thompson
Jenkins	Oliver	Tunstall
John	Parker	Turner
Johnson	Pearson	Urquhart
Jones	Peete	Vann
Killen	Pitts (Dallas)	Weaver
King	Pitts (Perry)	White (Lamar)
Kirby	Powell (Bullock)	White (Perry)
Kornegay	Powell (Covington)	Williams
Lacy (Walker)	Power	Woelf

—97.

A quorum was present.

JOURNAL.

The chairman of the standing committee on Revision of the Journal made the following report:

Mr. Speaker:

Your committee on the Revision of the Journal beg leave to report as follows:

We have examined the Journal for the Forty-first day and find the same to be correct.

H. B. Steagall, Chairman.

The report of the committee was concurred in, and the Journal of the Forty-first day was approved.

LEAVE OF ABSENCE

Was granted to Messrs. Lacey, of Dallas; Doyle, of Marengo, and Lyons for today.

BILLS ON SECOND READING.

Mr. Rainer, acting chairman of the standing committee on Appropriations, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1080. To provide for the relief of Henry Brannan of Mobile county.

H. 1104. For the relief of Mary Marler, Mary J. Simpson, widows of confederate soldiers, and A. Campbell, a confederate soldier, being residents of Crenshaw county, Alabama.

H. 1138. To appropriate the sum of \$21.60 for the year 1904 and the further sum of \$30.00 for the year 1905, and the further sum of \$30.00 for the year 1906, total \$81.60, to Mary Morris, widow of John Morris, an ex-confederate soldier, as a confederate pensioner for said years, her name having been erroneously omitted from the lists of pensioners for said years.

H. 1166. For the relief of Marvin Cowan.

H. 1214. For the relief of Mrs. M. A. Jones, widow of an ex-confederate soldier.

H. 1323. To appropriate fifteen hundred dollars for the purpose of furnishing and equipping the office of mine inspectors of this State with necessary and suitable furniture, apparatus, machines and all other necessary instruments.

H. 1125. For the relief of indigent widows of confederate veterans.

H. 1227. For the relief of T. H. Dunn, J. H. Pinckard and Wiley Hill, ex-confederate soldiers of Chambers county.

H. 1317. To authorize the county of Mobile and the city of Mobile to each contribute the sum of twenty-five hundred dollars annually to the maintenance and support of the Gulf Coast Tropical Fair Association.

S. 401. For the relief of J. L. Smith, an ex-confederate soldier, being a resident of Randolph county, Ala.

S. 541. To appropriate the sum of fifty thousand dollars to defray the expenses incurred and to be incurred in connection with the railroad rate litigation now pending, or which may hereafter be instituted between the various railroads of Alabama and the railroad commission.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee, in session, had acted on the following bill and ordered same returned to the House with a favorable report with an amendment:

H. 1107. (With amendment.) To appropriate twenty-five hundred dollars (\$2,500.00) for the incidental and contingent expenses to be disbursed on the order of the governor.

Mr. Smith, of Elmore, chairman of the standing committee on Public Roads and Highways, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1321. To repeal sections 4, 5, 6 and 8 of an act entitled an act to "better provide for working the public roads in the counties of Baldwin, Escambia and Monroe, approved Feb. 9th, 1901, in so far as the same applies to the county of Monroe, and to amend sections twelve of said act and further regulate the working of the public roads in Monroe county.

Mr. Haley, chairman of the standing committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 869. To authorize the town of Enterprise, in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

H. 1316. To vacate, abolish and annul as alleys, streets or public highways, the following streets and al-

leys, as shown and contained in the map of the property of the North Birmingham Land Company, in Jefferson county, Alabama, to-wit: the alleys running east and west through the center of blocks numbered 214 and 234 and lying between the west line of 14th street and the east line of 15th street; also that portion of Sixth avenue lying along the north of said block and south of what is known as the Jonesville road, as now located at said point; also that portion of Seventh avenue lying between the west line of 14th street and the east line of 15th street; also that portion of 8th avenue lying west of the west line of 14th street and south of block 234; and to annul and extinguish the dedication thereof.

H. 1319. To amend section 1 of an act entitled an act to alter, rearrange and extend the corporate limits of the city of Mobile, Alabama, approved March 2, 1907.

S. 543. To ratify, confirm and legalize the orders, acts and proceedings of the commissioners' court of Choctaw county in issuing to the contractors for building the county court house, three principal warrants and six subsidiary warrants, representing a legal rate of interest from January 1st, 1907, and on said three principal warrants in settlement of the costs of constructing county court house, and to authorize the payment of said warrants.

S. 412. To provide for the compensation of the deputy solicitor of Lowndes county.

Mr. Foster, chairman of the standing committee on Penitentiary and Criminal Administration, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

H. 1160. To provide for guards for the Montgomery county jail, and to fix the compensation for such guards.

H. 1313. To provide for the removing of prisoners from one county to the other and to provide for the expenses of same.

Mr. Lee, of Etowah, chairman of the standing committee on Education, reported that said committee in

session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1094. To amend sections 1 and 4 of an act to appropriate annually \$67,000 or so much thereof as is necessary to aid rural school districts in the State to erect or repair public school houses, approved March 2, 1907.

H. 1230. To amend section 15 of an act entitled, "An act to establish a uniform system for the examination and licensing of teachers of public schools," approved February 10th, 1899.

H. 1229. To authorize the board of directors of the State Normal School at Jacksonville, for and in behalf of said normal school and for and behalf of the State of Alabama to sell and convey to the mayor and city council of Jacksonville a certain house and lot on or near the south-east corner of the public square of the town of Jacksonville, Alabama, the same being the house and lot formerly used and occupied by Calhoun county as a county court house, and now used by said normal school for school purposes; the proceeds of said sale to be used and applied by said board of directors of the State Normal School at Jacksonville, for the benefit of said normal school.

H. 1266. To punish persons having the care or custody of children having negro blood in them who permit or suffer said children to be admitted into the public schools of the State of Alabama, set apart for children who are not negroes.

H. 1311. To provide for the more efficient supervision of the public schools of the State.

Mr. Lee, of Etowah, chairman of the standing committee on Education, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with substitute:

S. 314. (With substitute.) To provide for the taking of the census of the school children in the State of Alabama, and to provide punishment for the making of false enumerations.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1090. To create the Sixteenth judicial circuit for the State of Alabama, to be composed of the counties of Blount, Etowah and St. Clair, to confer equity jurisdiction on said court as to matters arising in Blount and St. Clair counties, and to provide for registers in chancery therein; to provide for the appointment and election of a judge and solicitor for said circuit and fix their salaries, and for the removal of pending causes and for the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit and to authorize the judge of said circuit to adopt reasonable rules of practice to facilitate the business of the courts therein; to fix the time of holding courts in said circuit, and places at which such courts shall be held and to require that a jury be demanded in civil causes.

S. 467. To prescribe rules of practice and procedure in the circuit court of Montgomery county, and to define the powers of the judge of said court in reference thereto.

S. 500. To fix the time of holding the courts of the Third judicial circuit of Alabama.

S. 504. To fix the time of holding the circuit court in the county of Limestone, in the Eighth judicial circuit of Alabama.

S. 260. To detach the county of Winston from the Northwestern chancery division of Alabama; to confer equity jurisdiction on the circuit court of said county; to provide for the appointment of a register for the equity side of said circuit court.

H. 1242. To establish an inferior court in precinct 45, in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public, with powers of justices of the peace, in said precinct, and to define the jurisdiction and powers of said court and of the judges thereof.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with an amendment:

H. 1019. (With amendment.) To fix the salary of the judge of the city court of Talladega county and to provide for the payment of the same.

Mr. John, chairman of the standing committee on Judiciary reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with a substitute:

H. 1243. (With substitute.) To amend sections 46 and 48 of article 4 of the Constitution of Alabama.

Mr. John, from the standing committee on Rules, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 363. To amend section 2240 of the Code of Alabama of 1896 and to appropriate the sum of six hundred dollars for the secretary of the Senate and the clerk of the House, respectively, for filing and arranging the papers of their respective Houses in the office of the Secretary of State, and copy and deliver to the public printer the journals of their respective Houses with proper indexes thereto.

Mr. Weaver, acting chairman of the standing committee on Revision of Laws, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

S. 169. To amend section 4417 of the Code of Alabama of 1896.

S. 449. To require the governor to send a State examiner of public accounts or some other expert accountant to audit and examine into the accounts and operations of all incorporated towns and cities in Dallas county operating public utilities.

S. 474. To fix and provide for the salary of the chancellor of the Southwestern chancery division of the State of Alabama.

S. 475. To fix and provide for the salary of the judge of the Thirteenth judicial circuit of Alabama.

Mr. Gunter, chairman of the standing committee on Municipal Organization, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1147. To ratify, confirm and validate loans of money, evidenced by notes and secured by mortgages, or either, made by towns not exceeding a population of two thousand inhabitants as shown by the last Federal census.

H. 1222. To create a police commission for the city of Huntsville, and to define its jurisdiction and powers.

H. 1312. To authorize incorporated cities and towns in this State which have within their corporate limits ancient, private or family cemeteries or burial grounds to contract for their care and maintenance.

H. 1322. To provide for compulsory pilotage on all vessels and craft crossing the outer bar of Mobile bay, except vessels engaged in American coastwise trade, and to repeal all laws in conflict herewith.

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

Mr. Ballard, of Autauga, chairman of the standing committee on Temperance, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

H. 1277. To require all municipalities which operate dispensaries to semi-annually make statements and reports and to provide penalties for failure to do so.

H. 1238. To regulate dispensaries now operated or which may be operated by municipalities in the county of Geneva, to prescribe and fix a license on each dispensary in addition to that already imposed under the general law; to provide for the payment of such license fee to the judge of probate of Geneva county, and to give the court of county commissioners power to disburse the fund created by such license, at its discretion, either in building, repairing or furnishing school houses and buildings exclusively for rural districts of Geneva county, or for repairing the public roads of Geneva county, or for supplementing pensions to pensioners of the first class, or for all said purposes, and to provide a penalty for the failure to pay such license.

H. 1293. To allow the selling, or otherwise lawfully disposing of lager beer, by the proprietor, or manager, of the Park Hotel to be erected at Montrose in Baldwin county.

H. 1314. To abolish and close the dispensary at Headland, Henry county, Alabama.

H. 1315. To establish a dispensary in and for the town of Andalusia, in the county of Covington, in the State of Alabama, and to provide for the conduct and regulation of the same.

S. 400. To repeal an act approved February 13th, 1897, entitled an act to regulate the sale of spirituous, vinous and malt liquors in the corporate limits of the town of Roanoke, Randolph county, Alabama.

S. 413. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within two (2) miles of any church or house used for religious worship in the town of Sanford, in Covington county, Alabama, and to provide punishment for violations of this act.

S. 414. To prevent the sale, barter, exchange and giving away of spirituous or malt liquors, or intoxicating beverages of any kind, within the territory now embraced in election precinct number nine (9), in Covington county, Alabama, except within the present corporate limits of the town of Florala, and to provide punishment for violation of this act.

S. 524. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages or drinks within five miles of Presbyterian and Baptist churches at Pleasant Hill, Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit courts of Dallas or Lowndes counties.

S. 525. To prohibit the barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages or drinks within three miles of the Sister Springs church, in Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit court of Dallas county and Lowndes county.

Mr. Ballard, of Autauga, chairman of the standing committee on Temperance, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report with an amendment:

S. 396. (With amendment.) To repeal an act approved December 13th, 1900, entitled an act to establish, maintain and regulate a dispensary in the town of Roanoke, Randolph county, Alabama, for the sale of spirituous, vinous or malt liquors, ciders and other intoxicants and to establish a board of commissioners for the management of said dispensary and for other purposes.

Mr. Pitts, of Dallas, chairman of the standing committee on Revision of Laws, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1289. To amend sub-division 4 of section 958 of the Code of 1896.

The above and foregoing bills were severally read a second time, and placed on the calendar.

BILLS REPORTED ADVERSELY.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 1306. To establish a great seal for the State of Alabama.

H. 826. To prescribe the duties and liabilities of persons, firms or corporations operating traction engines on the public roads of this State.

H. 1237. To create the city court of Red Bay, in Franklin county, Alabama, and provide for its jurisdiction and regulation; and to abolish the office of justice of the peace within Red Bay precinct.

H. 1260. To amend section 1 of an act entitled an act to amend sections 5522 (4250) (775) (859) (7271) and 5524 (4252) (777) of the Code of 1896, approved Oct. 10, 1903.

My Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted on the following bills and ordered same returned to the House with an adverse report:

H. 958. To appropriate from the State treasury the sum of ten thousand dollars for the purpose of erecting a monument to the women of the Confederate States of America, and to provide for the expenditure of said fund and the erection of said monument.

H. 967. To provide artificial limbs for persons who have lost a limb or limbs whilst serving in the confederate armies during the late civil war.

H. 974. Appropriating the sum of twenty-five thousand dollars (\$25,000.00) to the National Negro Fair Association to assist in the construction and erection of the necessary buildings and improvements at Pritchard in Mobile county, Alabama, for said fair association, and the maintenance of a series of fairs to be conducted at said place by the National Negro Fair Association during the fall of the years 1907, 1908, 1909 and 1910.

H. 978. To appropriate one hundred thousand dollars from moneys in the treasury not otherwise appropriated, for the improvement of the harbor and river front of Mobile from the mouth of Mobile river northwardly to Three Mile creek.

H. 1006. To appropriate for the use of the public schools of the State for the fiscal years ending September 30th, 1908, 1909, 1910 and 1911, in addition to the amount now appropriated for the support of the public schools of the State, all the surplus moneys that may accrue in the State treasury for the fiscal years 1908, 1909, 1910 and 1911.

H. 1022. To appropriate the sum of \$2,939.65 for making necessary repairs on and to the building of the Fourth district agricultural school located at Sylacauga, Talladega county, Alabama, the main building of said school building being greatly in need of repairs.

H. 1057. To make appropriation for the maintenance of Sumter Self Help Farm College near Gainesville, Sumter county, Alabama.

H. 1248. To establish a county high school for Dale county, to be located at Ozark, Alabama, and to appropriate funds for its support and maintenance.

H. 1257. To purchase a life size picture of General John B. Gordon.

H. 1309. To make an appropriation for the erection of a memorial monument or monuments and markers in the Vicksburg National Military Park to commemorate the valor and heroism of the soldiers from Alabama who participated in the campaign, seige, and defense of Vicksburg.

H. 1161. To provide a pension for indigent or disabled servants of soldiers or sailors of the confederacy.

Mr. Kindsay, chairman of the standing committee on Game, Fish and Forestry Preservation, reported that said committee, in session, had acted on the following bills and ordered same returned to the House with an adverse report:

H. 1247. To further protect and promote the propagation of fish and to protect private interests in ponds,

pools, lakes, or other reservoirs or bodies of water containing fish.

H. 1253. To amend section 3 of an act "relating to the preservation, propagation and protection of the fish of Alabama," approved February 19th, 1907.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Long, of Butler:

H. 1332. To further define the powers and duties of the railroad commission of Alabama and provide for its mode of procedure and prescribe penalties for violations of its orders.

Commerce and Common Carriers.

By Mr. Cooper:

H. 1333. Providing for the distribtuion of any surplus in the State treasury at the close of any fiscal year to the several counties in the State to be used as a supplement to the public road funds.

Appropriations.

By Mr. Arnold:

H. 1334. To amend sections 3 and 4 of an act entitled "To amend sections 4, 5, 6, 7, 8, 9, 10, 16, 18 and 20 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved February 10, 1899," approved March 4, 1901.

Appropriations.

By Mr. Parker, (by request) (with notice and proof):

H. 1335. To repeal an act entitled "An act to fix the compensation for recording, registration and copying in the probate office in the counties of Lowndes, St. Clair, Etowah, Blount and Cullman," approved December 12th, 1892, in so far as the same applies to the county of Cullman.

Local Legislation.

Notice and Proof. H. 1335.

The State of Alabama, }
 Cullman County. }

Before me, Gault Cambell, a notary public, in and for said county and State, personally appeared J. W. Hewlett, who, being duly sworn, says that he is one of the editors and publishers of the Cullman Tribune, a weekly newspaper published in Cullman, Cullman county, Alabama, and that the notice, of which a true copy is hereto attached, was published in said newspaper of the following dates, viz.: May 31, June 7, 14, 21, 1907.

J. W. Hewlett.

Sworn to and subscribed before me this 11th day of July, 1907.

Gault Campbell,
 Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the Legislature of Alabama, which convenes in the month of July, 1907, to repeal the act entitled "An act to fix the compensation for recording, registration and copying, in the probate office in the counties of Lowndes, St. Clair, Etowah, Blount and Cullman, approved December 12th, 1892," in so far as the same applies to the county of Cullman. Said bill being in substance as follows:

A BILL

To be entitled, an act to repeal an act entitled "an act to fix the compensation for recording, registration and copying in the probate office in the counties of Lowndes, St. Clair, Etowah, Blount and Cullman," approved December 12th, 1892, in so far as the same applies to the county of Cullman

Section 1. Be it enacted by the Legislature of Alabama, That the act entitled "An act to fix the compensation for recording, registration and copying in the

probate office in the counties of Lowndes, St Clair, Etowah, Blount and Cullman," approved December 12th, 1892, be and the same is hereby repealed in so far as it applies to the county of Cullman.

H. L. Heidelberg.

By Mr. Sherrod :

H. 1336. To provide for the examination and licensing of fourth grade teachers in Alabama.

Education.

By Mr. Sherrod, (with notice and proof) :

H. 1337. To require the sheriff of Lawrence county to procure from the office of the United States Internal Revenue Collector for the State of Alabama, a list of persons, firms or corporations in Lawrence county, to whom licenses have been issued for the sale of spirituous, vinous, or malt liquors, and to publish the same in some newspaper published in said county.

Temperance.

Notice and Proof. H. 1337.

The State of Alabama, }
Lawrence County. }

Before me, J. C. Kumpe, judge of probate in and for said State and county, personally appeared Jourdan White, known to me to be one of the publishers of The Moulton Advertiser, a newspaper published at Moulton, in said county, in said State, and he being first duly sworn, doth state on oath that he is one of the publishers of said newspaper and that same has been regularly published and issued in weekly editions in said county for more than twelve months last past, and that the notice hereto attached, marked "Exhibit A," referring to a proposed bill for Lawrence county, was published, without cost to the State, once a week for four consecu-

tive weeks before the making of this affidavit, in the issues of to-wit:

Jourd White.

Sworn to and subscribed before me on this the 28 day of May, 1907.

J. C. Kumpe,
Judge of Probate.

NOTICE.

Notice is hereby given that a bill will be introduced in the next Legislature in substance as follows, to-wit:

A bill to be entitled "An act to require the sheriff of Lawrence county to procure from the office of the United States Internal Revenue Collector for the State of Alabama, a list of the persons, firms or corporations in Lawrence county to whom a license has been issued for the sale of spirituous, vinous or malt liquors, and to publish same in some newspaper published in said county.

Sec. 1. Be it enacted by the Legislature of Alabama, That the sheriff of Lawrence county shall, between the 1st and 15th days of January and July of each year, procure from the office of the United States Internal Revenue Collector for the State of Alabama, the name and place of business of each person, firm or corporation to whom a United States license has been issued to sell spirituous, vinous or malt liquors in the county of Lawrence during the preceding twelve months, and shall immediately thereafter cause to be published for three weeks in some newspaper published in said county, the name and place of business of each of said persons, firms or corporations.

Sec. 2. Be it further enacted, That for said services the sheriff shall receive twenty-five dollars per annum, and the expense and cost of obtaining said list, to be paid out of the general fund of the county of Lawrence, and the cost of publishing said list shall be paid out of the general fund of said county.

Sec. 3. Be it further enacted, That if the sheriff of said county of Lawrence fails or refuses to comply with the provisions of this act, he shall be guilty of a misde-

meanor, and upon conviction shall be fined not exceeding \$500.00 and may be sentenced to hard labor for the county for not exceeding six months.

J. K. Swoope,
J. H. Harris,
A. F. Rebman,
A. L. Windham,
H. B. Irwin,
S. E. Gardner,
Jourd White.

By Mr. Henley :

H. 1338. To amend section 932 of the Code of 1896.
Judiciary.

By Mr. Maner :

H. 1339. To exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively, or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property, and which has not heretofore been manufactured for sale except such property as is devoted exclusively to the manufacture of such article, and to exempt from taxation the stock held by stockholders of such corporation.

Corporations.

By Mr. McMillan :

H. 1340. To amend section one of an act, "To prohibit, regulate and restrict the sale or other disposition of intoxicating liquors, drinks or beverages within the State of Alabama by providing for elections in the various counties of the State to determine whether the sale or other disposition of such intoxicating liquors, drinks or beverages shall be so prohibited, regulated and restricted."

Temperance.

By Mr. Rushton, (with notice and proof) :

H. 1341. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, in-

toxicating bitters, cordials, or other intoxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist church or Ivey Creek public school house, all in Crenshaw county, Alabama, to provide for the time when it shall be in force and to fix the punishment for the violation thereof.

Temperance.

Notice and Proof. H. 1341.

The State of Alabama, }
Crenshaw County. }

Personally appeared before me, M. N. Rushton, a notary public in and for said county, W. B. Howard, who, being duly sworn, says on oath that he is the editor and publisher of the Crenshaw County Critic, a newspaper published in said county, and that notice and substance of a bill to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials, or other intoxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist church and Ivey Creek public school house, all in Crenshaw county, a copy of which is hereto attached, was published in said Crenshaw County Critic once a week for four consecutive weeks before this date. This 18th day of July, 1907.

W. B. Howard.

Subscribed and sworn to before me this 18th day of July, 1907.

M. N. Rushton,

NOTICE.

Is hereby given that the following is the substance of a bill that will be introduced in the Legislature in July and passed:

A BILL

To be entitled an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials or other in-

toxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist church and Ivey Creek public school house, all in Crenshaw county, Alabama, and to provide the time when it shall be in force, to fix the punishment for the violation thereof.

Section 1. Be it enacted by the Legislature of Alabama, That on and after the approval of this act it shall be unlawful for any person, firm or corporation to sell, give away or otherwise dispose of spirituous, vinous or malt liquors, intoxicating bitters, cordials, or other intoxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist church and Ivey Creek school house, all in Crenshaw county, Alabama.

Sec. 2. Any person, firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined for each offense not less than twenty-five or more than one hundred dollars and may also be sentenced to hard labor for the county for not less than thirty days nor more than six months; provided, that nothing herein contained shall be so construed as to prevent the use of wine in churches for communion purposes.

By Mr. Fuller:

H. 1342. To amend sections 14 and 16 of an act entitled "An act to prescribe rules and regulations relating to demurrage and car service and the charges therefor and the respective rights, duties, obligations, liabilities and remedies of common carriers by rail and shippers and consignees with respect to the furnishing of empty cars and the transportation and delivery of freight and delay of shippers and consignees in the loading and unloading of cars and the receiving of freight, and charges for such delay," approved February 28, 1907.

Commerce and Common Carriers.

By Mr. Fuller: .

H. 1343. To authorize the railroad commission of Alabama to modify or change any rule or regulation prescribed by statute relating to demurrage or car service and charges therefor and the respective rights, duties and obligations of common carriers by rail and ship pers and consignees with respect to furnishing empty cars and the transportation and delivery of freight and delay in the loading and unloading of cars and receiving of freight and charges therefor.

Commerce and Common Carriers.

By Mr. Oliver, (with notice and proof):

H. 1344. To authorize the county board of education of Chambers county to establish a high school anywhere in the county.

Education.

Notice and Proof. H. 1344.

NOTICE OF SPECIAL LAW.

When the Legislature of Alabama assembles in July a bill will be introduced authorizing the county board of education of Chambers county to establish a high school anywhere in the county.

J. P. Neff.

The State of Alabama, }
Chambers County. }

S. H. Oliver, being duly sworn, deposes and says that he is the proprietor of the LaFayette Sun, a weekly newspaper published at LaFayette, in Chambers county, Alabama, and that the foregoing notice of a special law authorizing the county board of education of Chambers county to establish a high school anywhere in the county, has been published in the LaFayette Sun for four consecutive weeks, beginning with the issue of said paper for June 19th, 1907.

S. H. Oliver.

The State of Alabama, }
 Chambers County. }

Before me, A. J. Driver, Jr., judge of probate in and for said county in said State, personally appeared S. H. Oliver, known to me, who, being duly sworn, deposes and says that the facts stated in the foregoing affidavit are true.

Given under my hand this the 17th day of July, 1907.

A. J. Driver, Jr.,
 Judge of Probate.

By Mr. White, of Lamar, (with notice and proof) :

H. 1345. To amend sections 5 and 7 of an act entitled "An act to provide and establish a stock law for Lamar and Fayette counties," so far as the same relates to Browns' precinct, No. 4, in Lamar county.

Local Legislation.

Notice and Proof. H. 1345.

NOTICE OF PROPOSED LEGISLATION.

An act to amend sections 5 and 7 of an act entitled "An act to provide and establish a stock law for Lamar and Fayette counties," so far as the same relates to Browns' precinct, No. 4, in Lamar county.

Section 1. Be it enacted by the Legislature of Alabama, That section 5 of said act be amended so as to read as follows: That if a majority of the votes cast be "Stock Law, Yes," it shall be unlawful for any stock to run at large in Browns' precinct, No. 4, and if a majority of the votes cast be "Stock Law, No" it shall not be unlawful for stock to run at large in said precinct. Provided, that the result of said election shall not take effect until sixty days after such election is held.

Section 2. Be it further enacted, That section 7 of said act be amended so as to read as follows: That it shall be lawful for an election to be held in Browns' precinct, No. 4, of Lamar county, Alabama, at any time after the passage of this act, under the same rules and regulations prescribed in sections 1, 2, 3 and 4 of said act for holding such elections.

The State of Alabama, }
 Lamar County. }

Before me, R. L. Bradley, judge of the probate court in and for said county, personally appeared C. S. McDougal, who, being duly sworn, says that he is the editor and general manager of Lamar Democrat, and that the above notice of the proposed legislation has been published in his paper for four (4) consecutive weeks, which paper is published in Lamar county, Alabama, and is a weekly paper. C. S. McDougal.

Sworn to and subscribed this the 17 day of July, 1907.

R. L. Bradley,
 Judge of Probate.

By Mr. White, of Lamar, (with notice and proof) :

H. 1346. To provide for the publication of each of the local acts of the Legislature now in force, or that may hereafter be enacted by the Legislature of Alabama, relating to Lamar county, Alabama, in the newspaper published in said county having the largest list of bona fide subscribers, and to fix the compensation for publishing the same.

Public Printing.

Notice and Proof. H. 1346.

NOTICE.

Notice is hereby given that at the adjourned session of the Legislature of Alabama, which will be convened in July, 1907, a bill will be introduced and application made for the passage of the same by the Legislature providing substantially as follows:

A BILL

To be entitled an act, to provide for the publication of each local act of the Legislature now in force, or that may hereafter be enacted by the Legislature of Alabama, relating to Lamar county, Alabama, in

the newspaper published in said county having the largest list of bona fide subscribers, and to fix the compensation for publishing the same.

Be it enacted by the Legislature of Alabama:

Section 1. That it shall be the duty of the judge of probate of Lamar county, Alabama, and he is hereby empowered and required to have each local act of the Legislature of Alabama in force on the first day of July, 1907, relating to Lamar county published for three consecutive weeks, so soon as practicable after the passage of this act, in the newspaper published in said county having the largest list of bona fide subscribers at the time such publication is begun.

Section 2. That it shall be the duty of the judge of probate of Lamar county, Alabama, and he is hereby empowered and required to have each local act of the Legislature of Alabama which may be enacted after the first day of July, 1907, relating to Lamar county, Alabama, published for three successive weeks within sixty days after the adjournment of the Legislature in the newspaper having the largest list of bona fide subscribers at the time such publication is begun.

Section 3. That the judge of probate is hereby authorized to summon witnesses and take all other such steps as he may deem necessary in determining the newspaper having the largest list of bona fide subscribers in said county at the time such publication is begun.

Section 4. That it shall be unlawful for the judge of probate to fail or refuse to have the acts relating to Lamar county, Alabama, published as herein provided, and if he fails or refuses to have any act so published, he shall be deemed guilty of a misdemeanor and on conviction shall be fined not less than fifty nor more than one hundred dollars for each offense; provided, that any failure upon the part of the publisher of said newspaper shall not be deemed a failure upon the part of the judge of probate.

Section 5. That it shall be the duty of the county commissioners' court to pay all claims of the publisher for publishing the acts as herein provided out of any money belonging to the county not otherwise appropri-

ated at the same rate per word as is now allowed by the general laws for the publication of legal notices; provided, that no claim shall be allowed until the whole of any act as herein provided shall have been published as required by this act.

The State of Alabama, }
Lamar County. }

Before me, J. S. Stone, a notary public in and for said county, personally appeared C. S. McDougal, who, being first duly sworn, deposes and says that he is editor and publisher of the Lamar Democrat, a newspaper published in said county, and that the foregoing notice of the intention to apply at the adjourned session of the Legislature of Alabama, which was convened in July, 1907, for the passage of a bill to be entitled "An act to provide for the publication of each local act of the Legislature now in force, or that may hereafter be enacted by the Legislature of Alabama, relating to Lamar county, Alabama, in the newspaper published in said county having the largest list of bona fide subscribers, and to fix the compensation for publishing the same," has been published in said newspaper for four consecutive weeks, to-wit: in the issues of June 26th, July 3, July 10 and July 17, 1907.

C. S. McDougal.

Subscribed and sworn to before me this the 17th day of July, 1907.

J. S. Stone,
Notary Public.

By Mr. White, of Lamar, (with notice and proof):

H. 1347. To allow the circuit clerk of Lamar county an assistant clerk.

Local Legislation.

Notice and Proof. H. 1347.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature at the July, 1907, session to enact a

law to allow the clerk of the circuit court of Lamar county, Alabama, an assistant or deputy clerk during the terms of the circuit court, who shall be paid in the same way and at the same rate that court bailiffs are paid.

The State of Alabama, }
Lamar County. }

Personally appeared before me, R. E. Bradley, circuit clerk in and for said county and State, C. S. McDougal, who, being duly sworn by me, deposes and says that he is the publisher and printer of the Lamar Democrat, a newspaper published in Vernon, Lamar county, Alabama.

Affiant further deposes and says that the hereto attached advertisement was published in said Lamar Democrat for 4 consecutive weeks prior to this date, and that the price charged is the actual lowest regular price charged for such advertisement, and that there is no agreement between the publisher and the said officer whereby any advantage, gain or profit is to accrue to him.

C. S. McDougal,
Publisher Lamar Democrat.

Sworn to and subscribed before me, this 17th day of July, 1907.

R. E. Bradley,
Clerk of the Circuit Court.

By Mr. Coöper:

H. 1348. To compel owners of dogs to restrain and confine same to kennels or yard premises of the homes during the months of April, May and June of each year.
Game, Fish and Forestry Preservation.

By Mr. Urquhart:

H. 1349. Authorizing recovery and refund of money erroneously paid for taxes, whether under compulsion or protest or not; providing as to evidence of such payment; that the adverse termination heretofore of petition or suit for such refund or recovery shall not be res

adjudicata in certain cases and that this act shall apply to petitions and suits for such refund or recovery heretofore filed.

Ways and Means.

By Mr. Smith, of Lee:

H. 1350. To reimburse the governor's contingent fund the amount expended therefrom in paying the funeral expenses of the late William L. Martin, who at the time of his death was Speaker of the House of Representatives, and to make an appropriation therefor.

Appropriations.

By Mr. King:

H. 1351. To amend sections 1321 and 1322 of the Code of 1896, as amended by the act approved March 7, 1907.

Corporations.

By Mr. King:

H. 1352. To refund to certain foreign corporations payments made under the act of March 7, 1907, amending sections 1321 and 1322 of the Code.

Corporations.

By Mr. Smith, of Lee:

H. 1353. To ratify and confirm the acts of the courts of county commissioners and boards of revenue of the several counties of the State in allowing claims of judges of probate for fees in felony cases on preliminary trials in the county courts.

Judiciary.

By Mr. Foster:

H. 1354. To regulate the placing of insurance in unauthorized companies; defining agents; requiring the signature of agents to policies; providing for reinsurance; defining brokers and prescribing fees for same; and providing penalties for certain violations.

Banking and Insurance.

By Mr. Foster:

H. 1355. To further regulate insurance in the State of Alabama.

Banking and Insurance.

By Mr. Middleton, (with notice and proof):

H. 1356. For the relief of John Milford, an ex-confederate soldier, being a resident of Chilton county, Alabama.

Appropriations.

Notice and Proof. H. 1356.

The State of Alabama, }
Chilton County. }

I, Wallace C. Elder, editor and publisher of The Union, a newspaper published in Chilton county, Alabama, hereby certify that the following notice:

TO WHOM IT MAY CONCERN.

A bill will be introduced to the general term of the Legislature of Alabama in July, 1907, to be entitled an act for the relief of John Milford, an ex-confederate soldier of Chilton county, Alabama.

Was published in The Union for four consecutive weeks.

Wallace C. Elder,

Editor and Publisher of The Union.

Sworn to and subscribed before me this July 12, 1907.

Sam N. Collins,

Clerk Circuit Court of Chilton County, Alabama.

By Mr. Goodwyn:

H. 1357. To provide for incorporating State organizations, associations, or bodies of secret societies, organizations or orders and for the protection of the corporate names thereof.

Corporations.

By Mr. Lacy, of Walker, (with notice and proof):

H. 1358. To better provide for the payment of witnesses in criminal cases who are summoned and appear for the State in the several courts of Walker county.

Local Legislation.

Notice and Proof. H. 1358.

NOTICE.

Notice is hereby given that at the present session of the Legislature of Alabama application will be made for the passage of an act providing substantially as follows:

A BILL

To be entitled an act to better provide for the payment of witnesses in criminal cases who are summoned and appear for the State in the several courts of Walker county.

Section 1. Be it enacted by the Legislature of Alabama, That from and after the first day of January, 1908, witnesses in criminal cases who are summoned and who appear for the State in Walker county, Ala., shall be paid the sum of seventy-five cents per day for each day they are in attendance at any of the several courts of Walker county, Ala., and shall also be paid three cents per mile for the distance traveled in going to and returning from such court, such distance to be computed according to the shortest route most usually traveled in going to the place of holding court.

Sec. 2. That in addition to the money paid or to be paid into the witness fund, as is now provided by law, there shall also be paid one-fourth of all money realized from the hire of county convicts, and also one-fourth of all money collected as fines and forfeitures in Walker county, which money shall be paid to witnesses in criminal cases who are summoned and who appear for the State in the same manner as the other money in said witness fund is paid out.

The State of Alabama, }
Walker County. }

Before me, R. T. Knight, a justice of the peace in and for said county, personally appeared J. R. Gunter, who, being duly sworn, deposes and says that he is the editor of the Mountain Eagle, a newspaper published in

Walker county, Alabama; that the attached notice of a bill to better provide for the payment of witnesses in criminal cases who are summoned and appear for the State in the several courts of Walker county, was published in said newspaper once a week for four consecutive weeks, commencing on the 16th day of January, 1907.

J. R. Gunter,
Editor of Mountain Eagle.

Sworn to and subscribed before me this the 17th day of July, 1907.

R. T. Knight,
Justice of the Peace of Beat 1.

By Mr. Foster :

H. 1359. To provide for refurnishing and in keeping in repair the State capitol and the several offices therein, and to provide for the improvement and keeping in order the State capitol grounds.

Rules.

By Mr. Oliver :

H. 1360. To prohibit the reopening of dispensaries for the sale of liquors, which have been closed and have ceased to do business, unless reestablished as provided by the act approved Feb. 26, 1907, or the act approved March 6, 1907.

Temperance.

By Mr. Maner :

H. 1361. To make an appropriation for the payment of the expenses of confederate reunions in this State.

Appropriations.

By Mr. Alford, (by request) (with notice and proof) :

H. 1362. To establish a dispensary in and for the town of "Floral" in the county of Covington, State of Alabama, and to provide for the conduct and regulation of the same.

Temperance.

Notice and Proof. H. 1362.

NOTICE.

Notice is hereby given that an application will be made and a bill introduced in the Legislature of the

State of Alabama during its present term, for the passage of a law to establish in the corporate limits of the town of Florala, in the county of Covington, State of Alabama, a dispensary for said town of Florala, where spirituous, vinous or malt liquors are to be sold, to be conducted and carried on by said town in its corporate capacities; for buying and selling spirituous, vinous and malt liquors, in which law provisions will be made for the selection, appointment and employment of a dispenser, commissioners and other officers and agents to operate, conduct and carry on the business of said dispensary, for the town of Florala, Alabama, and also for the management, regulation and operation of said dispensary, and for the disposition of the revenue derived from the operation of said dispensary.

The State of Alabama, }
Covington County. }

Before me, S. T. Spradley, a notary public in and for said State and county, this day personally appeared W. C. McLauchlin, who, being duly and legally sworn, deposes and says: That he is the editor and proprietor of The Florala News, a newspaper published weekly at Florala, in Covington county, Alabama, and that the above and foregoing notice has been published once a week for four (4) consecutive weeks in said newspaper, beginning with the issue of June 6th, 1907.

W. C. McLauchlin.

Sworn to and subscribed before me this the 6th day of July, 1907.

S. F. Spradley,
Notary Public.

My commission expires Sept. 29th, 1908.

By Mr. Gunter, (with notice and proof) :

H. 1363. To amend an act to alter and rearrange the boundaries of the city of Montgomery, extending the corporate limits of said city, approved Feb. 3, 1903.

Municipal Organization.

Notice and Proof. H. 1363.

The State of Alabama, }
Montgomery County. }

Before me, W. H. Moon, a notary public in and for said county and State, personally appeared A. S. Allen, who, being first duly sworn, deposes and says, that he is an employe of the Montgomery Times, a newspaper published in the city of Montgomery and State of Alabama; that the following notice was published in said Montgomery Times for four consecutive weeks, on the following dates: June 12th, June 19th, June 26th, and July 3rd, said notice reading as follows:

To Whom it May Concern:

A bill will be introduced in the Legislature of Alabama at the July, 1907, session to extend the limits of the city of Montgomery, so as to embrace the northeast quarter of section nineteen, township sixteen, range eighteen, or any portion thereof.

June 12th, 1907.

June 12, June 19, June 26, July 3.

A. S. Allen.

Sworn and subscribed to before me, this the 19th day of July, 1907.

W. H. Moon,
Notary Public.

By Mr. Benners:

H. 1364. To amend sub-division (B) of an act to amend section 2584 of the Code of 1896, approved March 4, 1907.

Public Printing.

By Mr. Carmichael, of Clay, (with notice and proof):

H. 1365. For the relief of B. H. Worthy, of Clay county, to validate warrants in the sum of \$29.15 held by him against the road and bridge fund of said county, and to authorize the county treasurer of said county to pay said warrants.

Appropriations.

Notice and Proof. H. 1365.

The State of Alabama, }
 Clay County. }

Before me, Mae Bell Smith, a notary public in and for said State and county, personally appeared Walter S. Smith, who, being duly sworn, deposes and says that he is the editor of The Lineville Headlight, a newspaper published each week at Lineville, Clay county, Alabama, and that the notice hereto attached has been published for four consecutive weeks in said paper prior to this date.

Walter S. Smith,
 Editor The Lineville Headlight.

Sworn to and subscribed before me this 16th day of July, 1907.

Mae Bell Smith,
 Notary Public.

Notice is hereby given that a bill will be introduced in the adjourned session of the Legislature of 1907 authorizing and requiring the county treasurer of Clay county to pay B. H. Worthy \$29.15 on warrants for services rendered under an act to provide for the construction, repairing, working and maintaining the public roads and bridges of Clay county, approved September 23, 1903, and held invalid by the courts.

By Mr. White, of Lamar, (with notice and proof) :

H. 1366. To repeal an act entitled "An act to create the Fellowship school district in Lamar county," approved March 4, 1901.

Education.

Notice and Proof. H. 1366.

NOTICE OF PROPOSED LEGISLATION.

Notice is hereby given that at the adjourned session of the Legislature of the State of Alabama, which will convene on the 9th day of July, 1907, a bill will be introduced, and application made to the said Legislature for its passage, providing substantially as follows:

A bill to be entitled an act to repeal an act entitled, "An act to create the Fellowship school district in Lamar county," approved March 4, 1901.

Be it enacted by the Legislature of Alabama:

Section 1. That an act entitled "An act to create the Fellowship school district in Lamar county," approved March 4, 1901, be, and the same is hereby repealed.

The State of Alabama, }
Lamar County. }

Before me, J. S. Stone, a notary public in and for said county, personally appeared C. S. McDougal, who, being first duly sworn, deposes and says that he is editor and publisher of the Lamar Democrat, a newspaper published in said county; and that the foregoing notice of the intention to apply at the adjourned session of the Legislature of Alabama convened on July 9, 1907, for the passage of a bill to be entitled "An act to repeal an act entitled 'An act to create the Fellowship school district in Lamar county,' approved March 4, 1901," has been published four consecutive weeks in said newspaper, to-wit, in the issues of June 26, July 3, July 10 and July 17, 1907.

C. S. McDougal.

Subscribed and sworn to before me this the 17th day of July, 1907.

J. S. Stone,
Notary Public.

By Mr. Sample:

H. 1367. To amend sections one, three, and seventeen of an act, entitled an act, to provide for the examination and regulation of the business of banking in the State of Alabama, approved October 10th, 1903.

Banking and Insurance.

PRIVILEGES OF THE FLOOR

Were extended to Hon. E. L. Blue, of Union Springs, and General C. L. Pearson, of Tallapoosa, for today.

BILL ON THIRD READING.

H. 273. To fix the ex-officio fees of the clerks of the circuit court in the several counties of the State of Alabama, and to provide for the payment of same.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Claims and Fees, said amendment being as follows:

Amend bill by striking out Sec. 5 thereof.

And the amendment was adopted.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Edwards	Parker
Alford	Elrod	Pearson
Armstrong	Fuller	Pitts (Dallas)
Arnold	Henley	White (Perry)
Ballard (Autauga)	Hoffman	Price
Ballard (Pike)	Johnson	Ragsdale
Baltzell	Jones	Rattray
Barton	Killen	Rushton
Benners	Kirby	Sanders
Benson	Kornegay	Sanford
Bloch	Lee (Barbour)	Seale
Brown	Lee (Houston)	Sherrod
Bulger	Malone	Smith (Lee)
Burney	Mastin	Tunstall
Cannon	Mitchell	Urquhart
Coleman (Lowndes)	McCrory	Vann
Crum	McDuffie	Wolf
Doyle (Clark)	McDuffie	

—54.

Mr. Arnold offered the following amendment to the bill:

Amend section 1 so as to make the same read as follows:

Section 1. Be it enacted by the Legislature of Alabama, That the ex-officio fees of the clerks of the circuit courts in the several counties of the State of Ala-

bama, shall be fixed and paid in the following manner and amounts as follows, to-wit: In all counties where the assessed value of real estate and personal property does not exceed the sum of two million dollars, they shall receive from their respective county treasuries the sum of three hundred dollars pre annum; in all counties where the total assessed values exceed two million dollars and do not exceed three million dollars they shall receive three hundred and twenty-five dollars per annum; in all counties where the total assessed values exceed three million dollars and do not exceed four million dollars, they shall receive three hundred and fifty dollars per annum; in all counties where the total assessed values exceed four million dollars and do not exceed five million, they shall receive three hundred and seventy-five dollars per annum; in all counties where the total assessed values exceed five million dollars, and do not exceed six million dollars, they shall receive four hundred dollars per annum; in all counties where the total assessed values exceed six million dollars and do not exceed seven million dollars, they shall receive four hundred and twenty-five dollars per annum; in all counties where the total assessed values exceed seven million dollars and do not exceed eight million dollars they shall receive four hundred and fifty dollars per annum; in all counties where the total assessed values exceed eight million dollars and do not exceed nine million dollars, they shall receive four hundred and seventy-five dollars per annum; in all counties where the total assessed values exceed nine million dollars they shall receive five hundred dollars per annum.

And the amendment was adopted.

Yeas, 54; nays, 5.

Yeas:

Messrs:

Speaker	Ballard (Pike)	Brown
Alford	Baltzell	Bulger
Armstrong	Barton	Burney
Arnold	Penners	Cannon
Avery	Benson	Carmichael (Clay)
Ballard (Autauga)	Bloch	Coleman (Lowndes)

Crum	Lee (Houston)	Peete
Doyle (Clark)	Lindsey	Pitts (Dallas)
Edwards	Malone	Pitts (Perry)
Foster	Mastin	Sample
Henley	Mitchell	Sanders
Hoffman	Moore	Smith (Franklin)
Hughston	McCrary	Smith (Lee)
Jones	McDuffie	Steagall
Kirby	McMillan	Vanu
Kornegay	Norville	White (Lamar)
Lawson	Parker	Williams
Lee (Barbour)	Pearson	Woolf

—54.

Nays:

Messrs:—

Elrod	Haley	Ragsdale
Fuller	Killen	

—5.

Mr. John offered the following amendment to the bill:

Amend by adding at the end of section one as amended the following: In counties in which the total income of the clerk from fees exceeds ten thousand dollars per annum there shall not be any allowance.

And the amendment was adopted.

Yeas, 61; nays, 2.

Yeas:

Messrs:—

Speaker	Burney	Hughston
Alford	Cannon	John
Armstrong	Carmichael (Clay)	Johnson
Arnold	Crum	Kirby
Arrington	Doyle (Clark)	Kornegay
Avery	Edwards	Lawson
Ballard (Autauga)	Elrod	Lee (Barbour)
Baltzell	Foster	Lee (Etowah)
Barton	Fuller	Lee (Houston)
Benners	Glover	Lovelady
Benson	Haley	Malone
Brown	Henley	Mastin
Bulger	Hoffman	

Middleton	Pitts (Dallas)	Sanford
Mitchell	Powell (Bullock)	Sherrod
Moore	Pratt	Smith (Elmore)
McDuffie	Price	Smith (Franklin)
McMillan	Ragsdale	Turner
Norville	Rainer	Urquhart
Parker	Rowe	White (Lamar)
Pearson	Sanders	

—61.

Nays:

Messrs:—

Long (Butler) McCrory

—2.

And the bill:

H. 273. To fix the ex-officio fees of the clerks of the circuit court in the several counties of the State of Alabama, and to provide for the payment of same.

As amended, was read a third time, at length, and passed.

Yeas, 45; nays, 15.

Yeas:

Messrs:—

Speaker	Elrod	Middleton
Alford	Foster	Mitchell
Armstrong	Hoffman	McCrory
Arnold	Hughston	McDuffie
Ballard (Autauga)	Johnson	McMillan
Barton	Kirby	Norville
Benners	King	Peete
Benson	Kornegay	Pitts (Dallas)
Brown	Lawson	Pitts (Perry)
Bulger	Lee (Barbour)	Pratt
Burney	Lee (Houston)	Rattray
Carmichael (Clay)	Long (Butler)	Rowe
Cooper	Malone	Turner
Crum	Maner	White (Lamar)
Doyle (Clark)	Mastin	Woolf
Edwards		

—45.

Nays:

Messrs:—

Avery	Killen	Pearson
Cannon	Lee (Etowah)	Ragsdale
Fuller	Lovelady	Sanders
Glover	Moore	Sherrod
Haley	Parker	Smith (Elmore)

—15.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills:

S. 72. To appropriate all moneys received by the city of Attalla, in this State, as saloon license to school purposes and to the payment of the interest on the bonded debt of the said city.

S. 223. Making it a misdemeanor to sell, give away, or otherwise dispose of, in Mobile county, within three miles of section nine, township two, north, range one, east, spirituous, vinous or malt liquors or intoxicating bitters or beverages.

Your signature thereto is requested.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Senate message.

. REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following resolutions with a favorable report: H. R. 263.

And the resolution was adopted.

Also the following resolutions with a favorable report as amended: H. R. 271, 272, 279.

And the resolution as amended was adopted.

Mr. John, from the committee on Rules, returned to the House the following Senate joint resolution with a favorable report: S. J. R. 60.

And the resolution was adopted.

Mr. John, from the committee on Rules, returned to the House the following resolutions with an adverse report: H. R. 170, 233, 239, 251, 273, 275 and 278.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 766. To amend section 1 of an act, approved February 15, 1899, entitled an act to amend an act entitled an act to establish the Tuscaloosa county law and equity court, approved December 9, 1896.

H. 551. To amend an act entitled an act to authorize and require the commissioners' court of Pickens county to set apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and the clerk of the circuit court of said county, fees which by law become a good claim against the fine and forfeiture fund of said county, and to regulate the manner of said payments, and fixing the amount of said witness fee, approved December 13, 1900.

H. 224. To repeal an act entitled an act to increase the jurisdiction of the justices of the peace, in Marion and other counties, approved February 13th, 1891, so far as the same relates to Marion county.

H. 797. To require the commissioners of Marion county to advertise for bids for the building of public bridges and other public improvements for at least thirty days before the same is let in some newspaper published in said county and to provide for the manner of letting or receiving bids for same.

H. 752. To vacate and annul that part of Ninth street from the alley extending through blocks 228 and 229 on which is the right of way of the Louisville & Nashville R. R.; south to the alley extending east and west through blocks 268 and 269, and also that part of Seventh street that extends from the right of way of the Louisville & Nashville R. R. south to the right of way of the Southern Railway Company in the town of North Birmingham, Ala., as public streets or highways and to annul and extinguish the dedication thereof.

H. 129. To repeal an act entitled an act to establish a board of police commissioners for the city of Bessemer, Alabama, to provide for the appointment of such commissioners; to define their powers and duties and to regulate the police department of the city, approved March 3rd, 1903.

H. 176. To regulate the payment of claims against the fine and forfeiture fund of Talladega county.

H. 839. To better provide for the working of the public roads in Pike county, Alabama, prescribe rules and regulations for the same and prescribe penalties for the violation of the provisions of this act.

H. 810. To establish a board of revenue for Houston county.

H. 817. To repeal an act entitled an act to provide a fund to be used exclusively for the support of a paid fire department in the city of Mobile, approved February 1st, 1899.

H. 675. To provide for the relief of D. F. Brannan of Mobile county.

H. 774. To detach election precinct number nine (9) in St. Clair county, known as Ragland election precinct, from the Southern judicial division of the county and attach the same to and make it a part of the Northern judicial division of St. Clair county, and confer jurisdiction with right to hear and try all causes, civil and criminal, arising in said election precinct on the circuit court, chancery court, probate court, county court and commissioners' court of the Northern judicial division of said county with place of holding court at Ashville, in said county, in the same manner and to the

same extent as if said election precinct had never been attached to and made a part of the Southern judicial division of St. Clair county.

H. 705. To change the boundary line of the incorporation of the town of Wilsonville in Shelby county, Alabama.

H. 757. To legalize and authorize the payment of certain warrants inadvertently and improperly issued by the commissioners' court of Monroe county against the fine and forfeiture fund of said county.

And returns same herewith to the House.

And has originated and passed the following Senate bills:

S. 512. To confer equity jurisdiction upon the circuit courts in Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit court in said counties, and to provide a register for said courts.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

There will be introduced at the adjourned session of the Legislature of Alabama, which convenes July 9th, 1907, a bill substantially as follows:

A BILL.

To be entitled an act to confer equity jurisdiction upon the courts in Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit courts of said counties, and to provide a register for said courts.

Section 1. Be it enacted by the Legislature of Alabama, That equity jurisdiction is hereby conferred upon the circuit court in the counties of Walker and Winston, and that the circuit court in said counties is here-

by invested with all the powers and jurisdiction of a court of chancery.

Section 2. That when exercising the jurisdiction and powers of a court of chancery or equity, the court shall conform to the rules of procedure and practice in the chancery courts of this State. Provided, That the presiding judge of such court shall have power to make and adopt such rules of practice as may be required by a proper system of practice for said court, which rules shall be entered of record upon the minutes of said court.

Section 3. That the chancery or equity dockets of the said circuit courts in said counties of Walker and Winston, shall be called by the presiding judge thereof, in each year, for said counties as follows:

1. In the county of Walker, at Jasper, on the 3rd Mondays in March and September, of each year, and may continue one week.

2. In the county of Winston, at Double Springs, Thursday after the fourth Monday in March and September, of each year, and may continue for five days.

Section 4. That the chancery cases in the said circuit courts of Walker and Winston counties, may be heard and passed upon at any other time than the time mentioned, whenever the said circuit court is in session.

Section 5. The judge of the circuit court shall appoint a register for the equity side of the docket for each county, who shall hold office during the term for which the judge appointing him was elected; Provided, that the present register in chancery for the chancery district composed of Walker and Winston counties shall remain in office until the expiration of his present term. The official bond, duties, liabilities, fees and commissions of the register of said court shall be the same as those of registers in chancery in this State and he shall be the custodian of all the books, records and papers pertaining to the equity side of said court.

Section 6. That all laws and parts of laws in conflict with this act are hereby repealed.

The State of Alabama, }
Walker County. }

Before me R. T. Knight, a justice of the peace in and for said county, this day personally came James R. Gunter, editor of the Mountain Eagle, and known to me to be such editor of said newspaper, which newspaper is published in the town of Jasper, in the county of Walker, in the State of Alabama, who, being by me first duly sworn, deposes and says that the attached notice and the bill entitled an act to confer equity jurisdiction upon the circuit courts in Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit courts in said counties, and to provide a register for said courts, was published once a week for four consecutive weeks in said newspaper, called the Mountain Eagle, in Walker county, Alabama, before the making of this affidavit.

James R. Gunter,
Editor Mountain Eagle.

Sworn to and subscribed before me this 6th day of July, 1907.

R. T. Knight,
Justice of the Peace.

S. 485. To amend section (6) six of an act entitled an act to create the office of associate judge of the city court of Gadsden; to provide for the qualification, election and appointment of such judge, to fix the term of office; to define his powers and duties and to provide for the payment of his salary.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

The State of Alabama, }
County of Etowah. }

Pursuant to constitutional requirement notice is hereby given that bill will be introduced at the present

session of the Legislature of Alabama, for the purpose of amending that part of an act passed by the Legislature of Alabama, at its present session, viz.: Section 6 of "An act entitled an act to create the office of associate judge of the city court of Gadsden, to provide for the qualification, election and appointment of such judge, to fix the the term of office, to define his powers and duties and to provide for the payment of his salary" so as to increase the salary of said judge as now fixed by law, to provide for its payment.

June 8, 1907.

The State of Alabama, }
County of Etowah. }

Personally appeared before me, A. R. Brindley, a notary public in and for aforesaid county and State, Chas. E. Meeks, who being by me first duly sworn says that he is the editor and publisher of the Gadsden Times-News, a newspaper published in Gadsden, Etowah county, Alabama, and that the notice hereto attached giving notice of the proposed introduction of a bill in the Legislature to amend section 6 of an act of the Legislature fixing the salary of the associate judge of the city court of Gadsden, so as to increase the salary of such judge, has been published in said Gadsden Times-News, once a week for four consecutive weeks; that said notice was first published on the 8th day of June, 1907, and consecutively each week thereafter until published four consecutive weeks.

Chas. E. Meeks.

Sworn to and subscribed before me this the 5th day of July, 1907.

A. R. Brindley,
Notary Public.

S. 527. To provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery and the clerks of the city court of Montgomery and the county court in and for said county, in criminal cases where the State fails to convict, out of the general fund of Montgomery county. And provide compensa-

tion for the clerk of the board of Revenue for services required of him under this act.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, {
Montgomery County. }

Before me, H. N. Hughes, clerk of the city court of Montgomery, personally appeared Brame Hood, who is known to me, and who being by me first duly sworn, upon oath deposes and says that he is the advertising manager of The Montgomery Journal, which is a daily newspaper published in the city and county of Montgomery, Alabama, and that an advertisement in words and figures as follows:

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the Legislature which convenes in July, substantially as follows:

A BILL

To be entitled an act to provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery and the clerks of the city courts of Montgomery and the county court in and for said county, in criminal cases where the State fails to convict, out of the general fund of Montgomery county. And provide compensation for clerk of the board of revenue for services required of him under this act.

Section 1. Be it enacted by the Legislature of Alabama, That after the passage of this act, witnesses before the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery, clerks of the city court in and for said county, in criminal cases where the State fails to convict, shall be

paid out of the general fund of said county as hereinafter provided.

Section 2. It shall be the duty of the clerk of the board of revenue of said county, on presentation of certificates issued after the passage of this act, to witnesses before grand juries and State witnesses in all criminal cases, as required by law, to draw his warrant on the county treasurer for the amount of such certificates. And it shall be the duty of the treasurer to pay the same out of the general fund of said county.

Section 3. After the adournment of the county court and the criminal division of the city court of Montgomery, the sheriff and clerks of said courts shall file with the board of revenue of said county a statement of all cases finally disposed of, where the State failed to convict, showing the items of cost due them, the name of the defendants and the charge against them. Said statement shall be sworn to by the officer making the same. If the board finds the account correct they shall order a warrant drawn on the county treasurer for the amount of such account. And it shall be the duty of the treasurer to pay the same out of the general fund of said county.

Section 4. The clerk of said board shall keep a separate warrant ledger in which he shall enter all warrants drawn on the county treasurer under the provisions of this act.

Section 5. The clerk of said board shall receive the sum of three hundred dollars per annum, payable monthly, in addition to his regular salary, for services rendered by him under the provisions of this act.

Section 6. For the purpose of ascertaining the amount of witness fees and fees of the sheriff and clerks justly due by the county, the judges of the city court of Montgomery, and the county court in and for said county, shall have the power and authority upon motion made in term time, to retax the cost in all cases.

Section 7. All amounts paid out by the county under the provisions of this act shall be prior claims against the fine and forfeiture fund of said county.

Section 8. All laws and parts of laws, general, special or local, in conflict with the provisions of this act, be and the same are hereby repealed.

Charles B. Teasley.

Was published once a week for four consecutive weeks in said The Montgomery Journal, on to-wit, the 12th, 19th and 26th days of June, and the 3rd day of July, 1907, during the present session of the Legislature and before the date of this affidavit.

Brame Hood.

Sworn to and subscribed before me this the 8th day of July 1907.

H. N. Hughes,

Clerk of the City Court of Montgomery.

S. 326. To repeal an act entitled an act to amend section 4630 of the criminal Code, so far as the same relates to beats 10 and 11, in Bibb county, Ala., same approved Feb. 21, 1899.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE.

Notice is hereby given that application will be made to the Legislature of the State of Alabama, which convenes on the 8th day of January, 1907, to repeal "An act entitled an act to amend section 4630 of the criminal Code, so far as the same relates to beats Nos. 10 and 11 in Bibb county, Ala.," same approved February 21, 1899. The object of said proposed legislation is to repeal said act which gives justices of the peace in said beats increased or enlarged jurisdiction.

J. M. McMaster,

T. S. Dark,

W. H. Wright.

The State of Alabama, }
County of Bibb. }

Before me, T. S. Dark, a notary public in and for said county and State, personally appeared C. E. Allen, edi-

tor and publisher of the Blocton Enterprise, a weekly newspaper published at West Blocton, Alabama, who, being by me first duly sworn, says on oath that the above notice was published in said paper for four consecutive weeks before the introduction of the bill in the premises. He further sayeth that the above notice is an exact publication referred to, that the same was clipped out of the said Blocton Enterprise.

C. E. Allen,
Editor and Publisher of The Blocton Enterprise.

Sworn to and subscribed before me this February 12,
1907.

T. S. Dark,
Notary Public.

S. 402. To provide for the holding of a term of the circuit court of the fifth judicial circuit of Coosa county at Goodwater, and to regulate the same.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the next or adjourned session of the Legislature of Alabama, and application made for its passage, the substance of which will be as follows:

AN ACT

To provide for the holding of a term of the circuit court of the fifth judicial circuit of Coosa county, at Goodwater and to regulate the same.

Section 1. Be it enacted by the Legislature of Alabama, That there shall be held a term of the circuit court of the fifth judicial circuit, or any other circuit in which Coosa county may be placed by any past, or future act of the Legislature of Alabama, at Goodwater, in Coosa county, commencing on the fifth Monday after the fourth Monday in February, and the fifth Monday

after the fourth Monday in August of each year, and shall continue two weeks.

Section 2. Be it further enacted, That said court shall have jurisdiction to try and determine all civil causes in which the defendant, at the time of the commencement of the suit is a resident citizen of election precinct numbers three, Socapatoy; number four, Goodwater; number five, Mt. Olive, in Coosa county. Also when the defendant is a resident of Coosa county, and the cause of action arises in either of said precincts numbered three, four and five; also when the defendant is a corporation doing business in any of said precincts, and the cause of action arises, or the plaintiff resides in any of said precincts; also when the cause of action is ex delicto and the tort is commenced in either of said precincts; also of all appeals in both civil and criminal cases appealed from any of the justice courts of either of said precincts and all appeals either civil or criminal, or quasi criminal from the courts of the municipal authorities of any municipal corporation located in either of said precincts. Also of all criminal prosecutions where the offense is committed in either of said precincts and the defendant or defendants make bond where they are arrested after indictment.

Section 3. Be it further enacted, That all civil causes pending in the circuit court of Coosa county, at Rockford, in which the defendant or defendants, or where there is more than one defendant where either of the defendants reside at the time the suit was commenced, in precincts numbered three, four and five in Coosa county. And all civil causes against corporations where the cause of action originated in either of said precincts, or where the defendant or either of the defendants, resided in either of said precincts at the time suit was begun, ~~or where the action is ex delicto and tort was committed in either of said precincts~~ and all causes pending on the docket of the circuit court of Coosa county, appealed from any of the justice courts of any of said precincts, and all the causes in the circuit court of said county appealed from the courts of any of the municipal authorities of any municipal corporation, located in any

of said precincts; also all criminal prosecutions pending in the circuit court of Coosa county at Rockford where the defendant or defendants are under bond for his appearance at said circuit court at Rockford where the offense was committed in either of said precincts, shall be transferred from the dockets of said court at Rockford to the dockets of said court to be held at Goodwater, and shall stand for trial at the first term of said court.

Section 4. Be it further enacted, That where indictments are returned by any grand jury organized by the circuit court of Coosa county for any offense committed in the precincts described in section 2 of this act and the defendant or defendants on being under capias issued on such indictment where the offense was committed in either of said precincts, the bail for the Defendants appearance at the next term of said circuit court at Goodwater, and shall stand for trial at the first term thereafter, and all criminal cases shall be set by the clerk for trial during the first three days of each term of said circuit court to be held at Goodwater. And when any cause either civil or criminal, is improperly placed on the docket at Rockford when it should be at Goodwater, the same shall be transferred from the dockets of the circuit court at Rockford to the dockets of the circuit court at Goodwater. And when any cause either civil or criminal, is improperly placed on the dockets of said circuit court at Goodwater, the same shall be transferred to the dockets of said circuit court at Rockford.

Section 5. Be it further enacted, That said court shall be presided over by the judge of the fifth judicial circuit, as is now provided by law in this State, so long as Coosa county continues in said circuit, and then by the judge of the circuit in which Coosa county is situated.

Sec. 6. Be it further enacted, That the clerk of the circuit court of Coosa county shall be ex officio clerk of said court, and he shall be required to procure and keep all necessary dockets and records for the use of said court; and the dockets, records and papers pertaining to said court shall be kept at Goodwater. Said clerk of the circuit court of Coosa county shall keep an office

at Goodwater in which the records, books and papers pertaining to said court shall be kept, and shall also, what time he is not at said office, keep a deputy clerk in said office who shall be authorized and empowered to discharge in the name of the clerk of the circuit court of Coosa county all the duties of said office pertaining to the business of said court at Goodwater. Said books, records and papers shall at all times be open for inspection by said courts and its officers. The said clerk of the circuit court of Coosa county and said deputy at Goodwater, shall do and perform all acts pertaining to said court as is now required of the clerk of the circuit court of Coosa county in reference to matters in the circuit court of said county.

Sec. 7. Be it further enacted, That the sheriff of Coosa county shall be required to keep an office in the court house at Goodwater, and keep the same open in person or by deputy for his reception and service of all instruments, and the transaction of all business that may be, or that is now, required of him by law; and shall attend upon each term of said court, and procure for the use of said court all the digests and law books owned by the county, and for the transportation of said books, the commissioners' court of said county shall issue a warrant payable to the sheriff for the amount actually expended by him for such purpose.

Sec. 8. Be it further enacted, That all summons or process issued under the provisions of this act, shall be returnable to the court of Goodwater, and so designated in said summons or process.

Sec. 9. Be it further enacted, That there shall be twenty-four jurors drawn and summoned for each term of said court, in the same manner as now prescribed by law for drawing and summoning jurors in Coosa county, from the qualified jurors who reside in precincts numbers three, four and five of Coosa county, which said jurors when so drawn and summoned, shall attend and serve upon said court under the pains and penalties now provided by law for the service of jurors upon the circuit court of Coosa county. Said jurors shall be drawn from a box as now provided by law, except that there

shall be no names in the box except the names of the qualified jurors of said precincts numbered three, four and five.

Sec. 10. Be it further enacted, That the first term of said court shall be held on the fifth Monday after the fourth Monday in August, 1907, and said circuit court at Goodwater shall be held in the two story brick building, known as the Griel building, that has been provided for the holding of said court by the mayor and aldermen of Goodwater until at such time as the commissioners' court of said county may provide for and designate some other building within the corporate limits of the town of Goodwater, for the holding of the said circuit court at Goodwater.

Sec. 11. Be it further enacted, That before entering upon the discharge of the duties under the provisions of this act, the sheriff and clerk shall each make and execute bond in the sum of two thousand dollars, conditioned as now required by law of them for the faithful performance of their duties under the provisions of this act, provided that after the expiration of the present term of said sheriff and clerk, the bonds that are now required of them by law shall be liable for the faithful discharge of their duties under the provisions of this act, and the failure of the sheriff or clerk to make said bond with sufficient sureties and conditioned as required by this act within thirty days after this act is approved by the governor, shall work a forfeiture of their respective offices.

(Signed) Many Citizens.

NOTICE.

Application will be made to the Legislature of Alabama for the passage of an act of which the foregoing is the substance, except Jordan's beat will be included with beats 3, 4, and 5 in the territory and jurisdiction of the circuit court of Goodwater.

(Signed) Many Citizens.

The State of Alabama, }
Coosa County. }

Before me, Luelle Allen, notary public, in and for said State and county, personally appeared B. T. Riddle, who first being duly sworn by me, deposes and says on oath that he is the publisher of the Goodwater Enterprise, a weekly newspaper published at Goodwater, Alabama, said county, and that the foregoing notice was published in said Goodwater Enterprise once a week for four consecutive weeks, being published in the issues of said paper of date June 7, 1907; June 14, 1907; June 21, 1907; and June 28, 1907.

B. F. Riddle.
Luelle Allen,
Notary Public.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message, were read one time and referred to appropriate standing committees as follows:

Judiciary, S. 512, S. 485, S. 402.

Local Legislation, S. 527, S. 326.

H. 930. To regulate the administration of the affairs of any municipal corporation which has been absorbed, or its government extinguished by the alteration or rearrangement of the boundary lines of another city or town.

Was taken up. Mr. King offered the following amendment to the bill:

Amend by adding the following:

Section 7. Should the city so altering or rearranging its boundary lines absorb or annex any part of another city or town, the city so absorbing or rearranging its boundary lines shall assume and pay the proportionate share of the bonded indebtedness of the city or town from which said territory is taken, that the cost of the municipal improvements in such territory taken from

such city or town, bears to the whole cost of municipal improvements made in the whole of the city or town from which such territory is taken immediately before such annexation; provided, that this shall apply only to that part of bonded indebtedness actually expended for municipal improvements.

Said city shall also pay to the city or town from which territory is taken, the value of any school property or other property that may be in such annexed territory at the time of such annexation.

The amount of said bonded indebtedness and the value of said property to be paid by said enlarged city shall be determined and agreed on by the city council of the enlarged city and by the city council from which such territory is taken, in such manner as they shall elect; if they cannot agree, then the matter shall be determined by the circuit court of the county in which such enlarged city may be, by petition of either municipality, or of any taxpayer of either municipality.

And the amendment was adopted.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Pearson
Alford	Haley	Peete
Arnold	Hoffman	Pitts (Dallas)
Avery	Hughston	Pitts (Perry)
Ballard (Autauga)	Johnson	Powell (Covington)
Baltzell	Jones	Ragsdale
Barton	Killen	Rainer
Brown	King	Rowe
Bulger	Kornegay	Sanders
Burney	Lawson	Sanford
Cannon	Lee (Houston)	Seale
Carmichael (Clay)	Long (Butler)	Sherrod
Coleman (Lowndes)	Lyons	Smith (Lee)
Cooper	Malone	Tunstall
Crum	Mitchell	Turner
Edwards	Moore	Vann
Foster	McDuffie	White (Lamar)
Fuller	Parker	Woolf
Glover		

And the bill :

H. 930. To regulate the administration of the affairs of any municipal corporation which has been absorbed, or its government extinguished by the alteration or re-arrangement of the bounadry lines of another city or town.

As amended, was read a third time, at length, and passed.

Yeas, 57 ; nays, 0.

Yeas :

Messrs :—

Speaker	Henley	Pitts (Dallas)
Alford	John	Pitts (Perry)
Avery	Johnson	Powell (Covington)
Ballard (Autauga)	Jones	Pratt
Ballard (Pike)	King	Price
Barton	Kirby	Ragsdale
Benson	Kornegay	Rainer
Bloch	Lawson	Rowe
Brown	Lee (Houston)	Sample
Bulger	Lindsey	Sanders
Burney	Malone	Seale
Cannon	Maner	Sherrod
Coleman (Lowndes)	Mastin	Smith (Franklin)
Cooper	Mitchell	Smith (Lee)
Crum	Moore	Turner
Edwards	McCrary	Urquhart
Elrod	Norville	White (Lamar)
Fuller	Peete	White (Perry)
Haley	Pearson	Woolf

—57.

H. 803. To appropriate money for repairs on the A. & M. College, Normal, Alabama, and for other purposes. ~~Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Appropriations:~~

By striking out the figures and mark "\$10,000" in line two of section 1 and in lieu thereof inserting the figures and mark "\$5,000."

Also amend by striking out sections 3 and 4 entirely.
And the amendment was adopted.

Yeas, 57; nays, 3.

Yeas:

Messrs:—

Speaker	Hughston	Parker
Alford	John	Pearson
Avery	Johnson	Peete
Ballard (Autauga)	Jones	Pitts (Dallas)
Baltzell	Kirby	Powell (Bullock)
Barton	Kornegay	Powell (Covington)
Bloch	Lancaster	Pratt
Brown	Lawson	Rainer
Bulger	Lee (Barbour)	Rattray
Burney	Lee (Houston)	Rowe
Cannon	Lindsey	Sample
Carmichael (Clay)	Lovelady	Sanders
Coleman (Lowndes)	Lyons	Seale
Cooper	Malone	Smith (Franklin)
Crum	Mastin	Turner
Edwards	Mitchell	Vann
Haley	Moore	White (Lamar)
Henley	McDuffie	White (Perry)
Hoffman	Oliver	Woolf

—57.

Nays:

Messrs:—

Benson	Ragsdale	Sherrod
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—3.

And the bill:

H. 803. To appropriate money for repairs on the A. & M. college, Normal, Alabama, and for other purposes.

As amended, was read a third time, at length, and lost.

Yeas, 34; nays, 38.

Yeas:

Messrs:—

Speaker	Bloch	Cooper
Alford	Brown	Doyle (Clark)
Ballard (Autauga)	Carmichael (Clay)	Foster

Haley	Malone	Peete
Henley	Maner	Pitts (Dallas)
John	Mitchell	Price
Jones	McDuffie	Rainer
Killen	McMillan	Rattray
King	Norville	Rowe
Kirby	Oliver	Seale
Kornegay	Pearson	Smith (Franklin)
Lawson		

—34.

Nays:

Messrs:—

Avery	Lacy (Walker)	Ragsdale
Barton	Lee (Barbour)	Rushton
Benson	Lee (Etowah)	Sample
Bulger	Lindsey	Sanford
Burney	Malone	Sherrod
Cannon	Mitchell	Smith (Elmore)
Coleman (Lowndes)	Moore	Smith (Lee)
Crum	McCrary	Turner
Edwards	Parker	Vann
Elrod	Pitts (Perry)	Weaver
Fuller	Powell (Bullock)	White (Lamar)
Glover	Powell (Covington)	Williams
Hughston	Pratt	

—38.

On motion of Mr. Alford, the bills, H. 1113, H. 1114, were ordered sent to the Senate without engrossment.

BILL ON THIRD READING.

H. 1077. To allow all foreign corporations liable to a charter fee or annual franchise tax to deduct from their actual capital employed, or to be employed in this State, that part of such capital consisting of money loaned secured by recorded mortgages on real estate situated in this State.

Was taken up. The question was upon the adoption of the substitute reported by the standing committee on Ways and Means, said substitute being as follows:

A BILL

To be entitled an act, to allow all foreign corporations liable to an annual franchise tax to deduct from their actual capital employed, or to be employed, in this State that part of such capital consisting of money loaned secured by recorded mortgages on real estate situated in this State.

Section 1. Be it enacted by the Legislature of Alabama, That all foreign corporations doing business in this State which are liable for an annual franchise tax shall be allowed, and are hereby authorized, to deduct from their actual capital employed, or to be employed, in this State that part of such capital which consists of money loaned secured by recorded mortgages on real estate situated in this State, and the annual franchise taxes shall be based and computed on the remaining capital after such deduction.

And the substitute was adopted.

Yeas, 65; nays, 4.

Yeas:

Messrs:—

Speaker	Glover	Maner
Avery	Goodwyn	Mastin
Ballard (Autauga)	Haley	Middleton
Ballard (Pike)	Henley	Mitchell
Baltzell	Hughston	Moore
Barton	Jones	McCrary
Benson	King	McDuffie
Brown	Kirby	McMillan
Bulger	Kernegay	Oliver
Burney	Lancaster	Parker
Carmichael (Clay)	Lawson	Pearson
Cooper	Lee (Barbour)	Peete
Crum	Lee (Etowah)	Pitts (Perry)
Doyle (Clark)	Lindsey	Powell (Bullock)
Edwards	Lovelady	Ragsdale
Elrod	Lyons	Rainer
Fuller	Malone	Rattray

Rowe	Smith (Elmore)	White (Lamar)
Rushton	Smith (Franklin)	White (Perry)
Sanders	Turner	Williams
Sanford	Urquhart	Voof
Seale	Vann	

—65.

Nays:

Messrs:—

Cannon	Long (Butler)	Smith (Lee)
Lee (Houston)		

—4.

And the bill:

H. 1077. To allow all foreign corporations liable to a charter fee or annual franchise tax to deduct from their actual capital employed, or to be employed, in this State that part of such capital consisting of money loaned secured by recorded mortgages on real estate situated in this State.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 63; nays, 5.

Yeas:

Messrs:—

Speaker	Edwards	Lindsey
Alford	Foster	Lovelady
Avery	Fuller	Malone
Ballard (Autauga)	Glover	Maner
Ballard (Pike)	Goodwyn	Mastin
Baltzell	Gunter	Middleton
Barton	Haley	Mitchell
Benson	Henley	Moore
Bloch	John	McCrary
Brown	Jones	McDuffie
Bulger	King	McMillan
Burney	Kirby	Oliver
Carmichael (Clay)	Kornegay	Parker
Coleman (Lowndes)	Lancaster	Peete
Cooper	Lawson	Powell (Bullock)
Crum	Lee (Barbour)	Rainer
Doyle (Clark)	Lee (Etowah)	Sanders

Sanford	Steagall	White (Perry)
Seale	Urquhart	Williams
Sherrod	Weaver	Wolf
Smith (Franklin)	White (Lamar)	

—63.

Nays:

Messrs:—

Cannon	Long (Butler)	Turner
Elrod	Smith (Lee)	

—5.

REPORT OF COMMITTEE ON ENROLLED BILLS.**Mr. Speaker:**

Your committee on Enrolled Bills have examined the following House bills and joint resolution and beg leave to report the same correctly enrolled:

H. 752. To vacate and annul that part of Ninth street from the alley extending through blocks 228 and 229 on which is the right of way of the Louisville and Nashville R. R., south to the alley extending east and west through blocks 268 and 269, and also that part of Eleventh street that extends from the right of way of the Louisville and Nashville R. R., south to the right of way of the Southern Railway Company in the town of North Birmingham, Alabama, as public streets or highways and to annul and extinguish the dedication thereof.

H. 176. To regulate the payment of claims against the fine and forfeiture fund of Talladega county.

H. 810. To establish a board of revenue for Houston county.

H. 757. To legalize and authorize the payment of certain warrants inadvertently and improperly issued by the commissioners' court of Monroe county, against the fine and forfeiture fund of said county.

H. 766. To amend section 1 of an act approved February 15th, 1899, entitled an act to amend an act entitled an act to establish the Tuscaloosa county law and equity court, approved December 9th, 1896.

H. 551. To amend an act entitled an act to authorize the commissioners' court of Pickens county to set

apart and appropriate money from the general fund of said county with which to pay and discharge certificates of State witnesses issued by the foreman of the grand jury and the clerk of the circuit court of said county, fees which by law become a good claim against the fine and forfeiture fund of said county as hereinafter provided in section two of this act, and to regulate the manner of said payments and fixing the amount of said witness fee, approved December 13, 1900.

H. 817. To repeal an act entitled an act to provide a fund to be used exclusively for the support of a paid fire department in the city of Mobile, approved February 21st, 1889.

H. J. R. 266. Relative to the employment of a stenographer for the committee of investigation of the Alabama Insane Hospital.

H. 675. To provide for the relief of D. F. Brannan, of Mobile county.

H. 135. To prohibit the shipment, transportation, delivery or soliciting of orders for the sale of any spirituous, vinous, malt or intoxicating liquors, beverages or bitters into any prohibition district in the State of Alabama.

H. 797. To require the commissioners' court of Marion county to advertise for bids for the building of public bridges and other public improvements for at least thirty days before same is let in some newspaper published in said county, and to provide for the manner of letting or receiving bids for same.

H. 224. To repeal an act entitled an act to increase the jurisdiction of justices of the peace in Marion and other counties, approved February 13th, 1891, so far as the same relates to Marion county.

H. 129. To repeal an act entitled an act to establish a board of police commissioners for the city of Bessemer, Alabama, to provide for the appointment of such commissioners; to define their powers and duties and to regulate the police department of the city, approved March 3rd, 1903.

H. 705. To change the boundary line of the incorporation of the town of Wilsonville, in Shelby county, Alabama.

H. 774. To detach election precinct number nine (9) in St. Clair county, known as Ragland election precinct, from the Southern judicial division of the county and attach the same to and make it a part of the Northern judicial division of St. Clair county, and confer jurisdiction with right to hear and try all causes, civil and criminal, arising in said election precinct on the circuit court, chancery court, probate court, county court and commissioners' court of the Northern judicial division of said county with place of holding court at Ashville, in said county, in the same manner and to the same extent as if said election precinct had never been attached to and made a part of the Southern judicial division of St. Clair county.

J. S. Williams,
Chairman.

SIGNING BILLS AND RESOLUTIONS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills and H. J. resolution, the titles to which are set out in the above and foregoing report from the committee on Enrolled Bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following joint resolution:

Resolved by the Senate, the House of Representatives concurring, that when the Legislature adjourns today, July 19th, it be to meet Monday, July 22nd.

And sends same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The resolution set out in the above and foregoing Senate message was read one time and referred to the standing committee on Rules.

BILLS ON THIRD READING.

H. 1205. To amend section 3915 of the Code as amended by an act entitled an act to better provide for the revenue of the State, approved March 4th, 1903.

Was read a third time, at length, and passed.

Yeas, 59; nays, 1.

Yeas:

Messrs:—

Speaker	Haley	Moore
Alford	Henley	McDuffie
Arrington	Hoffman	Oliver
Avery	John	Pearson
Ballard (Autauga)	Jones	Pitts (Perry)
Baltzell	Killen	Price
Barton	King	Ragsdale
Benson	Kirby	Rainer
Bloch	Kornegay	Rattray
Burney	Lacy (Walker)	Sanders
Carmichael (Clay)	Lancaster	Sanford
Coleman (Lowndes)	Lawson	Sanford
Cooper	Lee (Houston)	Smith (Franklin)
Crum	Lindsey	Steagall
Doyle (Clark)	Lovelady	Turner
Edwards	Malone	Urquhart
Elrod	Maner	Weaver
Fuller	Martin	White (Lamar)
Glover	Middleton	Woolf
Goodwyn	Mitchell	

—59.

Nays:

Mr. Cannon

—1.

On motion of Mr. Woolf, the bill, H. 1205, was ordered to the Senate without engrossment.

H. 1130. To encourage the manufacture of calcium cyanamid (lime nitrogen) in this State, by exemptions from taxation for a period of ten years.

Was read a third time, at length, and passed.

Yeas, 73; nays, 7.

Yeas:

Messrs:—

Speaker	John	Powell (Bullock)
Alford	Jones	Pratt
Ballard (Autauga)	Killen	Price
Ballard (Pike)	Kirby	Ragsdale
Baltzell	Kornegay	Rainer
Barton	Lacy (Walker)	Rattray
Benson	Lancaster	Rowe
Bloch	Lawson	Rushton
Brown	Lee (Etowah)	Sample
Bulger	Lee (Houston)	Sanders
Burney	Lindsey	Sanford
Carmichael (Clay)	Maione	Seale
Coleman (Lowndes)	Maner	Sherrod
Crum	Mastin	Smith (Elmore)
Doyle (Clark)	Middleton	Smith (Franklin)
Dudley	Mitchell	Steagall
Edwards	Moore	Tunstall
Fuller	McCrory	Turner
Goodwyn	McDuffie	Urquhart
Gunter	McMillan	Vann
Henley	Norville	White (Lamar)
Haley	Oliver	White (Perry)
Hoffman	Parker	Williams
Hughston	Peete	Woolf
Jenkins		

—73.

Nays:

Messrs:—

Cannon	Lee (Barbour)	Smith (Lee)
Cooper	Long (Butler)	Weaver
Foster		

—7.

On motion of Mr. Woolf, the bill was ordered sent to Senate without engrossment.

H. 1129. To encourage the development of the various unusual water powers in this State by exemptions from taxation for a period of ten years.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Ways and Means, said amendment being as follows:

Amend the bill by adding at the end thereof the following:

”; nor shall this act be so construed as to exempt from taxation any of the property, business or franchises of any hydro-electric power plant already developed.”

And the amendment was adopted.

Yeas, 63; nays, 1.

Yeas:

Messrs:—

Speaker	Gunter	Parker
Alford	Haley	Pearson
Avery	Henley	Peete
Ballard (Autauga)	Hoffman	Pitts (Dallas)
Ballard (Pike)	Hughston	Pitts (Perry)
Baltzell	Jones	Powell (Bullock)
Barton	Killen	Pratt
Benson	Kornegay	Ralner
Bloch	Lacy (Walker)	Rattray
Brown	Lancaster	Rowe
Bulger	Lawson	Rushton
Burney	Lee (Etowah)	Sample
Cannon	Lee (Houston)	Sherrod
Carmichael (Clay)	Malone	Smith (Elmore)
Coleman (Lowndes)	Maner	Smith (Franklin)
Crum	Mitchell	Turner
Doyle (Clark)	Moore	Urquhart
Dudley	McCrory	Weaver
Edwards	McDuffie	White (Lamar)
Fuller	McMillan	Williams
Glover	Oliver	Woolf

—63.

Nays:

Mr. Foster

—1.

And the bill:

H. 1129. To encourage the development of the various unused water powers in this State by exemptions from taxation for a period of ten years.

As amended, was read a third time, at length, and passed.

Yeas, 67; nays, 4.

Yeas:

Messrs:—

Speaker	Jones	Pitts (Perry)
Alford	Killen	Powell (Bullock)
Avery	King	Pratt
Ballard (Autauga)	Kirby	Ragsdale
Ballard (Pike)	Kornegay	Rainer
Baltzell	Lacy (Walker)	Rattray
Benners	Lancaster	Rowe
Bulger	Lawson	Rushton
Burney	Lee (Etowah)	Sample
Carmichael (Clar)	Lee (Houston)	Sanders
Coleman (Lowndes)	Malone	Sherrod
Crum	Maner	Smith (Elmore)
Doyle (Clark)	Mitchell	Smith (Franklin)
Dudley	Moore	Steagall
Edwards	McCrory	Tunstall
Fuller	McMillan	Turner
Glover	Norville	Urquhart
Goodwyn	Oliver	Vann
Gunter	Parker	White (Lamar)
Haley	Pearson	White (Perry)
Hoffman	Peete	Williams
Jenkins	Pitts (Dallas)	Woelf
John		

—67.

Nays:

Cannon	Cooper	Long (Butler)
Smith (Lee)		

—4.

And the bill, H. 1129, was sent forthwith to Senate without engrossment.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bills:

H. 890. To further prescribe the official duties of the deputy solicitor of Bibb county, Alabama.

H. 899. To validate claims against Clay county, Alabama, for work and labor and material or supplies furnished said county under provisions of the recent Clay county road law which has been declared unconstitutional, and authorize the commissioners' court to audit and allow such claims as preferred claims against the general fund of said county, and direct payment of same.

H. 1063. To amend section 11 of an act "To regulate the trials of misdemeanors in Sumter county, approved December 8th, 1882."

H. 901. To authorize the court of county commissioners of Clay county, Alabama, to pay, annually, on claims for public roads and bridges, an amount out of the general fund of said county, not to exceed one-fifth of said general fund, levied and collected in any one year.

H. 1061. To authorize the court of county commissioners of Sumter county, to use any money in the county treasury not otherwise appropriated for the purpose of employing detectives or secret service men to ferret out and detect violations of the prohibition laws of said county.

H. 876. To divide St. Clair county into two chancery districts, to provide for holding court therein; to authorize the appointment of a register for each of said districts and to prescribe his duties.

H. 902. To provide for the collection and disbursement of proceeds appropriated by law to the public schools of Coffee county from the dispensaries of said county.

H. 951. To vacate and annul Fifth street between Second and Third avenues; Sixth street between Second

and Third avenues; Third avenues between Fourth and Sixth streets; the alley extending north and south in block eleven, and the alley running east and west in block eleven, in the Pratt Land and Improvement Company's survey of East Thomas, Jefferson county, Alabama.

H. 133. To amend an act entitled "An act to establish an inferior court in precincts 21 and 37 in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precincts and to define the jurisdiction and powers of said court and the judges thereof," approved September 26th, 1903.

H. 917. To prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters or beverages, in Dale county, Alabama.

H. 1007. For the relief of T. J. East, a one-legged, disabled ex-confederate soldier, in accordance with an act as approved Feb. 10th, 1899, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows. Requiring the probate judge of Randolph county to place or cause to be placed the name of T. J. East on the pension list of the ex-confederate soldiers of the county of Randolph.

H. 952. To alter and rearrange the boundary lines and corporate limits of the town of Elyton, Jefferson county, Alabama.

H. 1023. For the relief of J. S. Baker, a confederate pensioner of Tallapoosa county, Ala.

H. 1012. For the relief of Mary A. Gallaway, widow of an ex-confederate soldier, being a resident of Shelby county, Alabama. Whereas, Mary A. Galaway has long been on the pension rolls for Shelby county, Alabama, but for the year 1905 her name was dropped from said roll through mistake.

H. 920. To amend section nine of an act entitled an act to authorize all incorporated towns and cities in Elmore county to establish and operate dispensary or dispensaries in such incorporated towns or cities, for the purpose of buying and selling spirituous, vinous or

malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the selling of such liquors in such county, approved February 9, 1907.

H. 1039. To authorize the court of county commissioners of Wilcox county to borrow money, not exceeding one-half of the county revenue of said county per annum.

H. 904. To provide and punish the selling, bartering or exchanging of spirituous, vinous or malt liquors, or intoxicating drinks in the county of Colbert, after the first day of August, 1907, except in dispensaries located in the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in said county, and to allow the sale of grape wine under certain conditions.

H. 973. To amend section two (2) of an act entitled "An act to amend an act entitled an act to create the office of revenue constable for Mobile county, and to prescribe his duties, approved Feb. 24th, 1887."

H. 836. To amend an act, entitled an act to establish a separate school district, to be known as the Bethel school district, composed of a portion of Colbert, Lawrence and Franklin counties, Alabama, approved Feb. 15, 1899.

H. 959. To prevent the shipment, transportation or delivery of spirituous, vinous or malt liquors or intoxicating bitters or beverages from any point in the State of Alabama, to any person, firm or corporation in Lawrence county, Alabama.

H. 1068. To create and establish the office of jury commissioner for Jefferson county, Alabama, to provide for his appointment and removal and to prescribe his qualifications, term of office; to define his powers and authority; to fix his salary and to provide for its payment; and to provide for the clerks and assistants for said commissioner and to fix their salary.

H. 950. To vacate and annul Stollenwork avenue as shown on the map of Village Creek Land Company's survey in Jefferson county, Alabama, as a public street or highway, and to annul and extinguish the dedication thereof.

H. 862. To provide for the payment of jurors of Clarke county, Alabama.

H. 1038. To authorize the court of county commissioners of Wilcox county to purchase or acquire three or more ferries along the Alabama river in said county. To operate and maintain same for the public use.

H. 934. To repeal an act entitled, "An act to provide for the establishing of a separate school district to be known as the North Birmingham district in Jefferson county, Alabama, and to provide for the selection of a board of trustees for said school district with certain duties and powers," approved March 4th, 1901.

H. 990. To require the tax assessor and tax collector of Morgan county, Alabama, to make their rounds as required by law together and providing notice of said round.

H. 971. To provide for the compensation of the solicitor for Mobile county, to be elected in 1910, and his successors in office.

H. 921. To regulate the fine and forfeiture fund of Escambia county and to better provide for the payment of State witness and officers' fees in said county.

H. 1046. To amend section two of "An act to constitute the city of Anniston a separate school district and to provide a board of education therefor."

H. 427. To appropriate four thousand dollars to the Plantersville high school at Plantersville, Dallas county, Alabama, and to provide that the governor of Alabama be an ex-officio member of the board of trustees, and to provide for the appointment by the governor of five other trustees.

Ernest Lacey,
Chairman.

The report of the committee was concurred in.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bill:

S. 295. To legalize and make effective the registration of deeds of conveyance, heretofore filed and re-

corded in the office of the judge of probate of the proper county in this State, and of deeds of conveyance heretofore executed, which may be so filed and recorded within two years after the approval of this act.

And sends same herewith to the House without engrossment.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bill set out in the above and foregoing message from the Senate, was read one time and referred to an appropriate standing committee as follows:

Judiciary, S. 295.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bill:

S. 321. To amend section 3700 of the Code of Alabama of 1896 as amended by an act of the Legislature of Alabama, approved February 12, 1903.

And sends same herewith to the House without engrossment.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bill set out in the above and foregoing message from the Senate was read one time and referred to an appropriate standing committee, as follows:

Education, S. 321.

BILL ON THIRD READING.

H. 1290. To promote and secure the erection of factories for the purpose of manufacturing cement in the State of Alabama.

Was read a third time, at length, and passed.

Yeas, 40; nays, 37.

Yeas:

Messrs:—

Speaker	Haley	Peete
Baltzell	Hoffman	Pitts (Dallas)
Barton	Jones	Pitts (Perry)
Benners	Killen	Ragsdale
Benson	Kirby	Rattray
Bulger	Kornegay	Rowe
Burney	Lawson	Sanford
Coleman (Lowndes)	Maner	Seale
Crum	Mitchell	Steagall
Doyle (Clark)	McDuffie	Tunstall
Dudley	McMillan	Urquhart
Edwards	Norville	White (Perry)
Glover	Pearson	Woolf
Gunter		

—40.

Nays:

Messrs:—

Arnold	Lacy (Walker)	Powell (Bullock)
Avery	Lancaster	Pratt
Brown	Lee (Barbour)	Rainer
Cannon	Lee (Etowah)	Sample
Carmichael (Clay)	Lee (Houston)	Sanders
Cooper	Lindsey	Sherrod
Fuller	Long (Butler)	Smith (Lee)
Henley	Malone	Turner
Hughston	Middleton	Vann
Jenkins	Moore	Weaver
John	Oliver	White (Lamar)
Johnson	Parker	Williams
King		

—37.

RESOLUTIONS.

The following resolutions were introduced and referred to the committee on Rules:

By Mr. John:

H. R. 280. Resolved, that Senate bill No. 187, passed Feb. 28th, 1907,—\$3,250.00—for confederate memorial work in Ohio, now on adverse calendar in this House, be taken therefrom and referred to a committee of the whole House.

Also H. B. 349 on same calendar, asking appropriation for confederate monument at Chickamauga park in memory of Ala. troops on that battlefield.

By Mr. Bulger:

H. R. 281. Resolved, that on and after the passage of this resolution no member will be allowed to speak more than one time nor longer than five minutes on any pending measure.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following resolution with a favorable report:

Rules Committee:

H. R. 282. Resolved, that the morning session of the House for today be extended till 6 o'clock p. m. and that the House recess from 1 till 3 o'clock p. m.

And the resolution was adopted.

RESOLUTION.

The following resolution was introduced and referred to the committee on Rules:

By Mr. Sample:

H. R. 283. Resolved, that H. B. No. 1167—To prohibit pools, trusts, monopolies and conspiracies, etc.,—

be made a continuing, paramount order for 10 o'clock Tuesday, July 23rd, 1907.

H. 922. To require each and every officer, each and every official body, tribunal or court, whose duty it is to assess or value property for taxation in the State of Alabama, to assess or value the same for taxation at forty per cent. of its cash market value.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Ways and Means, said amendment being as follows: "Amend by striking out 'forty' wherever it occurs and insert 'fifty.'"

Mr. Tunstall offered the following amendment to the amendment:

Amend by striking out the word "forty" wherever it occurs and insert in lieu thereof "sixty"; also amend by striking out the words beginning with "Whereas" and ending with the word "therefore"; also amend by adding the following section:

Section 2. That the basis or per cent. of valuation prescribed in section 1 hereof may by proclamation of the governor issued between the first and thirteenth of September of any year be raised or increased above the basis or per cent. fixed in section 1 hereof. The governor shall in such proclamation prescribe the basis or per cent. for the following fiscal year and when so raised or increased it shall be the duty of all officers, official bodies or tribunals and courts to assess or value property subject to taxation at the basis or per cent. fixed or prescribed in said proclamation.

RECESS.

Pending the further consideration of the bill, under a resolution heretofore adopted, the House recessed until 3 o'clock p. m.

AFTERNOON SESSION.

The hour of 3 o'clock having arrived, the House reconvened.

UNFINISHED BUSINESS.

The House proceeded to the consideration of the unfinished business, which was the bill:

H. 922. To require each and every officer, each and every official body, tribunal or court, whose duty it is to assess or value property for taxation in the State of Alabama, to assess or value the same for taxation at forty per cent. of its cash market value.

The question recurred to the adoption of the substitute offered by Mr. Tunstall for the amendment reported by the committee.

Mr. Mastin moved that the bill, H. 922, and pending amendments be laid upon the table, and the motion to table prevailed.

Yeas, 43; nays, 37.

Yeas:

Messrs:—

Speaker	Haley	Pearson
Avery	Henley	Peete
Ballard (Autauga)	Hoffman	Pitts (Perry)
Ballard (Pike)	Hughston	Powell (Covington)
Barton	John	Price
Brown	Jones	Rattray
Bulger	Killen	Rowe
Burney	King	Rushton
Cannon	Lancaster	Sample
Carmichael (Clay)	Long (Butler)	Smith (Elmore)
Cooper	Maner	Smith (Lee)
Crum	Mastin	Steagall
Doyle (Clark)	Mitchell	Turner
Dudley	McCrory	Vann
Fuller		

Nays:**Messrs:—**

Alford	Lee (Barbour)	Ragsdale
Arnold	Lee (Etowah)	Rainer
Benners	Lee (Houston)	Sanders
Benson	Lindsey	Seale
Bloch	Malone	Sherrod
Coleman (Lowndes)	McDuffie	Thompson
Edwards	McMillan	Tunstall
Foster	Norville	Urquhart
Glover	Oliver	Weaver
Goodwyn	Pitts (Dallas)	White (Lamar)
Gunter	Powell (Bullock)	Williams
Kornegay	Pratt	Woolf

—37.

PAIRS ANNOUNCED.

Mr. Kirby announced that he was paired with Mr. Lacey, of Walker. If he were here he would vote no and Mr. Kirby would vote aye.

Mr. Smith, of Franklin, announced that he was paired with Mr. Middleton; if Mr. Middleton were here he would vote no and Mr. Smith, of Franklin, would vote aye.

REPORT OF COMMITTEE ON ENROLLED BILLS.**Mr. Speaker:**

Your committee on Enrolled Bills have examined the following House bill and beg leave to report the same correctly enrolled:

H. 839. An act to better provide for the working of the public roads in Pike county, Alabama; prescribe rules and regulations for the same and prescribe penalties for the violations of the provisions of this act.

J. S. Williams,
Chairman.

SIGNING BILL.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly

read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill, the title to which is set out in the above and foregoing report from the standing committee on Enrolled Bills.

REPORT OF RULES COMMITTEE.

Mr. John, from the standing committee on Rules, returned to the House the S. J. R. No. 69, relative to adjournment of the Legislature from Friday, the 19th inst. until Monday, the 22nd inst.

Mr. Bulger moved that the resolution be amended by striking out Monday, the 22nd inst, and inserting in lieu thereof "Tuesday, the 23rd inst."

The amendment of Mr. Bulger was adopted. And the resolution as amended by the amendment of Mr. Bulger was concurred in.

BILLS ON THIRD READING.

H. 1239. To empower the governor to suspend the collection of such portion of the general tax as may not be needed.

Was read a third time, at length, and passed.

Yeas, 58; nays, 6.

Yeas:

Messrs:—

Speaker	Cannon	Killen
Alford	Carmichael (Clay)	King
Arnold	Coleman (Lowndes)	Kirby
Avery	Cooper	Kornegay
Ballard (Autauga)	Crum	Lovelady
Ballard (Pike)	Doyle (Clark)	Malone
Barton	Fuller	Mastin
Benners	Glover	Mitchell
Benson	Goodwyn	Moore
Bloch	Hughston	McCrory
Brown	John	McDuffie
Bulger	Johnson	McMillan
Burney	Jones	Oliver

Peete	Rainer	Smith (Lee)
Pitts (Dallas)	Rowe	Steagall
Pitts (Perry)	Rushton	Turner
Powell (Bullock)	Sanders	Vann
Powell (Covington)	Smith (Elmore)	White (Lamar)
Price	Smith (Franklin)	Woolf

—58.

Nays:

Messrs:—

Gunter	Ratray	Seale
Haley	Sample	Williams

—6.

On motion of Mr. Woolf the bill, H. 1239, was ordered sent forthwith to the Senate without engrossment.

H. 1154. To amend section 9 of an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

Was read a third time, at length, and passed.

Yeas, 55; nays, 2.

Yeas:

Messrs:—

Speaker	Gunter	Pitts (Perry)
Armstrong	Haley	Powell (Covington)
Arnold	Hughston	Pratt
Avery	John	Price
Ballard (Autauga)	Jones	Rainer
Ballard (Pike)	Killen	Ratray
Barton	Kornegay	Rowe
Benners	Lee (Houston)	Rushton
Bloch	Long (Butler)	Sample
Brown	Malone	Sanders
Bulger	Maner	Smith (Elmore)
Burney	Mitchell	Smith (Franklin)
Carmichael (Clay)	Moore	Steagall
Cooper	McDuffie	Urquhart
Crum	McMillan	Vann
Doyle (Clark)	Oliver	Weaver
Foster	Pearson	White (Lamar)
Fuller	Peete	Woolf
Goodwyn		

—55.

Nays:

Messrs:—

Benson

Cannon

—2.

On motion of Mr. Woolf, the bill, H. 1154, was ordered sent forthwith to the Senate without engrossment.

H. 1123. To exempt from taxation all the property, both real and personal, belonging to The Eastern Star.

Was read a third time, at length, and passed.

Yeas, 55; nays, 1.

Yeas:

Messrs:—

Speaker	Goodwyn	McMillan
Armstrong	Gunter	Oliver
Arnold	Haley	Pearson
Avery	Hoffman	Pratt
Baltzell	Hughston	Price
Barton	John	Ragsdale
Benness	Johnson	Rattray
Benson	Jones	Rainer
Bloch	Killen	Rowe
Brown	Kirby	Sample
Bulger	Lancaster	Sanders
Burney	Lee (Houston)	Seale
Cooper	Malone	Smith (Lee)
Crum	Maner	Steagall
Edwards	Mastin	Turner
Foster	Mitchell	Urquhart
Fuller	Moore	Vann
Glover	McCrory	Weaver
		Woolf

—55.

Nays:

Mr. Parker

—1.

On motion of Mr. Woolf, the bill, H. 1123, was ordered sent to the Senate without engrossment.

H. 1151. To amend section 10 of an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

Was read a third time, at length, and passed.

Yeas, 58; nays, 2.

Yeas:

Messrs:—

Speaker	Goodwyn	Powell (Bullock)
Armstrong	Haley	Powell (Covington)
Arnold	Hoffman	Pratt
Ballard (Autauga)	Hughston	Price
Ballard (Pike)	John	Rowe
Barton	Johnson	Rushton
Benners	King	Sample
Benson	Kirby	Sanders
Bloch	Lawson	Seale
Brown	Lovelady	Smith (Lee)
Bulger	Malone	Steagall
Cannon	Maner	Tunstall
Burney	Mastin	Turner
Carmichael (Clay)	Mitchell	Urquhart
Coleman (Lowndes)	Moore	Vann
Cooper	McCrory	Weaver
Crum	McMillan	White (Lamar)
Edwards	Oliver	White (Perry)
Glover	Pearson	Williams
		Woolf

—58.

Nays:

Messrs:—

Henley

Pitts (Dallas)

—2.

On motion of Mr. Woolf, the bill, H. 1151, was ordered sent to the Senate without engrossment.

H. 1189. To amend section 8 of an act entitled "An act to further amend the revenue laws of the State of Alabama," approved March 7, 1907.

Was read a third time, at length, and passed.

Yeas, 59; nays, 0.

Yeas :**Measrs:—**

Speaker	Fuller	Parker
Alford	Glover	Pearson
Armstrong	Goodwyn	Peete
Arnold	Haley	Pitts (Dallas)
Avery	Henley	Pitts (Perry)
Ballard (Autauga)	Hoffman	Powell (Bullock)
Ballard (Pike)	Hughston	Powell (Covington)
Baltzell	John	Pratt
Barton	Jones	Price
Benson	Killen	Rowe
Bloch	King	Rushton
Bulger	Kirby	Sample
Burney	Lancaster	Sherrod
Cannon	Lawson	Smith (Elmore)
Carmichael (Clay)	Malone	Smith (Franklin)
Cooper	Maner	Smith (Lee)
Crum	Mitchell	Turner
Dudley	Moore	White (Lamar)
Elrod	McCrory	White (Perry)
	Oliver	Woolf

—59.

On motion of Mr. Woolf, the bill, H. 1189, was ordered sent to the Senate without engrossment.

MESSAGE FROM THE SENATE.**Mr. Speaker:**

The Senate has concurred in the House amendment to S. J. R. 69, relative to adjournment.

J. A. Kyle,
Secretary.

BILLS ON THIRD READING.

H. 987. To impose a tax of one dollar each year on all dogs in the State of Alabama, over four months of age, and provide for the collection of such tax and to provide that all live stock killed or injured and all dam-

ages done thereto shall be paid for out of the dog tax fund, and to provide that the surplus left in the dog tax fund on the first day of March of each year shall be paid into the public school funds of the county in which said tax was collected.

Was read a third time, at length, and passed.

Yeas, 39; nays, 31.

Yeas:

Messrs:—

Alford	Henley	Pitts (Dallas)
Armstrong	John	Pratt
Baltzell	Johnson	Price
Bulger	Lancaster	Rowe
Burney	Lawson	Sanders
Carmichael (Clay)	Long (Butler)	Seale
Cooper	Malone	Steagall
Crum	Mastin	Turner
Edwardes	Moore	Urquhart
Fuller	McCrory	Vann
Glover	Oliver	Weaver
Goodwyn	Pearson	White (Lamar)
Gunter	Peete	White (Perry)

—39.

Nays:

Messrs:—

Speaker	Doyle (Clark)	Powell (Bullock)
Arnold	Haley	Rainer
Avery	Hoffman	Rattray
Ballard (Autauga)	Hughston	Rushton
Ballard (Pike)	Killen	Sample
Barton	Lee (Houston)	Smith (Elmore)
Benners	Mitchell	Smith (Franklin)
Benson	Parker	Thompson
Bloch	Pitts (Perry)	Tunstall
Brown		Woolf
Coleman (Lowndes)		

—31.

Mr. Goodwyn moved to reconsider the vote by which the bill, H. 897, was passed.

Mr. Pitts, of Dallas, moved to lay the motion to reconsider the vote upon the table, and the motion to table prevailed.

On motion of Mr. Mastin, the bill, H. 987, was ordered sent to the Senate without engrossment.

H. 1211. To amend an act entitled an act to further amend the revenue laws of the State of Alabama.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Pitts (Perry)
Avery	Hoffman	Pratt
Ballard (Autauga)	Hughston	Ragsdale
Ballard (Pike)	John	Rainer
Barton	Killen	Rettray
Benners	King	Rowe
Bloch	Kirby	Rushton
Brown	Lawson	Sample
Bulger	Long (Butler)	Sanders
Burney	Malone	Smith (Franklin)
Cannon	Maner	Smith (Lee)
Carmichael (Clay)	Mitchell	Steagall
Cooper	Moore	Tunstall
Crum	McCrory	Turner
Doyle (Clark)	Parker	Urquhart
Edwards	Pearson	Vann
Fuller	Peete	White (Lamar)
Gunter	Pitts (Dallas)	Woolf
Haley		

—55.

On motion of Mr. Woolf, the bill, H. 1211, was ordered sent to the Senate without engrossment.

SPECIAL ORDER.

On motion of Mr. John, the bill, H. 558, was made a special, continuing, paramount order for Tuesday, the 23rd, immediately after the report of standing committees, and S. 509, be considered immediately after H. 558.

ADJOURNMENT.

The hour of six o'clock having arrived, the House adjourned until 8 p. m.

NIGHT SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Goodwyn	Pitts (Perry)
Arnold	Gunter	Powell (Bullock)
Avery	Henley	Pratt
Ballard (Autauga)	Hoffman	Price
Ballard (Pike)	Hughston	Ragsdale
Baltzell	Johnson	Rainer
Barton	Jones	Rattray
Benson	Killen	Rowe
Brown	Kirby	Rushton
Bulger	King	Sample
Burney	Kornegay	Sanders
Cannon	Lacy (Walker)	Seale
Carmichael (Clay)	Lee (Houston)	Smith (Elmore)
Coleman (Lowndes)	Lovelady	Smith (Franklin)
Cooper	Malone	Steagall
Crum	Maner	Tunstall
Doyle (Clark)	Mitchell	Turner
Dudley	Moore	Urquhart
Edwards	McMillan	Vann
Foster	Pearson	Weaver
Fuller	Peete	White (Lamar)
Glover	Pitts (Dallas)	Woolf

—65.

A quorum was present.

RESOLUTIONS.

The following resolutions were introduced:

By Mr. Foster:

H. R. 284. Resolved by the House, that the Senate be and is hereby requested to return to the House House bill No. 883.

On motion of Mr. Foster, the rules were suspended and the resolution was adopted.

By Mr. Fuller:

H. R. 285. Resolved, that H. B. No. 893 on page 57 of the calendar, To further prescribe the duties of the county and deputy solicitors of the various counties of Alabama; be made a special, paramount, continuing order for Tuesday, July 23rd, 1907.

And the resolution was referred to the committee on Rules.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bills:

S. 526. To regulate the fine and forfeiture fund of Montgomery county, and provide for the registration and payment of claims against said fund.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
Montgomery County. }

Before me, H. N. Hughes, clerk of the city court of Montgomery, personally appeared Brame Hood, who is known to me, and who being by me first duly sworn, upon oath deposes and says that he is the advertising manager of The Montgomery Journal, which is a daily newspaper published in the city and county of Montgomery,

Alabama, and that an advertisement in words and figures as follows:

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the Legislature, which convenes in July substantially as follows:

A BILL

To be entitled an act, to regulate the fine and forfeiture fund of Montgomery county, and provide for the registration and payment of claims against said fund.

Section 1. Be it enacted by the Legislature of Alabama, That it shall be the duty of the board of revenue of Montgomery county within ten days after the passage of this act, to give notice by advertisement in some newspaper published in the city of Montgomery, and by posting notice at the court house door of said county for thirty days, notifying all persons holding claims, whether registered or unregistered, against the fine and forfeiture fund of said county, to register the same with the clerk of the board of revenue on or before the first Monday in October, 1907, and if not so registered, said claims shall be forever barred.

Sec. 2. All fines and forfeitures collected, the hire of county convicts, all moneys received from the State, or collected by the clerks of the city and county courts or other officer, on account of witness fees and solicitor's fees shall be paid into and constitute the fine and forfeiture fund of said county.

Sec. 3. It shall be the duty of the clerk of said board to record in a well bound book all claims presented for registration, showing in each case the name of the owner of such claim, the date and amount of the same. Such book shall be a public record and shall be preserved by the board of revenue of said county.

Sec. 4. It shall be the duty of the board of revenue of said county on the first Monday in February, second

Monday in July and the first Monday in October of each year to ascertain the total amount paid out of the general fund of said county after the passage of this act, on account of witness fees, officers' fees and the salary of the solicitor and assistant solicitor, up to said date, and order a warrant on the fine and forfeiture fund for the amount so paid out, and the clerk of said board shall place the same to the credit of the general fund of said county. The surplus remaining in the fine and forfeiture fund shall be applied to the payment of registered claims against said fund.

Sec. 5. It shall be the duty of the board of revenue of said county on the first Monday in April, September and December, of each year, if there are funds in said fine and forfeiture fund to advertise for three weeks previously, at the court house of said county, notifying all persons holding registered claims against said fund, that bids will be received until and on such Monday until 12 o'clock for the same, and shall state in said advertisement the amount of the fund on hand, as provided by section four of this act, and the amount of registered claims against the fund outstanding and unpaid. The money shall be awarded to the bidders who propose to accept payment in full of their claims against said fund at the highest rate of discount, and should there be two or more bidders at the same rate of discount, and the fund be insufficient to pay all of them, the money shall be awarded to such claims in the order of their registration, beginning with the oldest. When the biddings are closed, and the money awarded, the clerk of the said board of revenue shall issue warrants upon said fund to the persons entitled thereto upon receipt and surrender of their claims, or a proper voucher if the claim is not paid in full.

Sec. 6. That after the passage of this act, all fines, forfeitures, hire of convict labor, or anything pertaining to said fine and forfeiture fund shall be paid only in lawful currency of the United States, and in nothing else, and all moneys which accrue to said fund in said county, and which may be collected by any sheriff, clerk, judge of probate, justice of the peace, notary pub-

lic, constable, coroner, or other officer shall be paid to the county treasurer and any officer who collects any such moneys and wilfully fails for more than thirty days to pay the same to the county treasurer, shall be guilty of a misdemeanor.

Sec. 7. The board of revenue of said county is hereby empowered and authorized to compromise and settle any and all registered claims against said fine and forfeiture fund, when in their judgment it is to the best interests of the county to do so.

Sec. 8. After all claims registered under the provisions of this act are paid in full, compromised or settled, the fine and forfeiture fund of said county shall be abolished and merged into the general fund.

Sec. 9. That all laws or parts of laws, general, special or local, in conflict with the provisions of this act be and the same are hereby repealed.

Charles B. Teasley.

Was published once a week for four consecutive weeks in said The Montgomery Journal, on to-wit, the 12th, 19th and 26th days of June, and the 3rd day of July 1907, during the present session of the Legislature and before the date of this affidavit.

Brame Hood.

Sworn to and subscribed before me this the 8th day of July, 1907.

H. N. Hughes,
Clerk of the City Court of Montgomery.

S. 523. To create and establish a commission to be known as "Selma Water Works Commission," to prescribe their qualifications, mode of election, duties, powers and compensation, terms of office, and to fix a maximum rate to be charged for Water in Selma, Alabama.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama when it meets in July, 1907, for the passage of a law, the provisions of which are in substance, as follows:

To create and establish Selma Water Works Commission, composed of three citizens of Selma, bona fide residents and house holders, one of whom shall be president of said commission; the terms of office shall be respectively, two, four and six years, from the second Monday in May, 1907, and whose terms thereafter shall be for six years, each of said commissioners to be elected on the 2nd Monday in May of each year; after the terms of the first commissioners respectively expire, by the Mayor and the council of Selma that the present commissioners shall continue in office as follows: W. R. Peacock, until the 2nd Monday in May, 1913; A. Thalheimer, until the 2nd Monday in May, 1911, and Ernest Lamar, until the 2nd Monday in May 1909; said commission to manage, conduct and control the system of water works, mains, hydrants, sewers and the entire plant heretofore purchased by Selma, from the Selma Water Works Co., and such additions and increments as may hereafter be made; said commission to elect their president, to serve for a term of two years from the date of his election, and until his successor is elected and qualified; said president, also, to act as secretary and to keep and preserve minutes of all meetings and proceedings of said commission, and to preserve records, papers, contracts, books, and so forth; to have principal charge of the commission and its affairs and under direction of said commission to have charge and control of said water works plant and system, sewer, pipes, hydrants and all of the details incident or connected with the running, maintenance, repair, management and operation of said system and plant; said commission to have its office in the city building of Selma, and to meet at least once a month and oftener, if necessary, for the conducting of the affairs of the commission; said commission to have authority to employ superintendent and manager, and en-

gineer, firemen and all other necessary employes, and hands, and to fix their compensation, and to fix, prescribe and regulate their duties and to fix the rate for water consumers, or use by any person, firm or corporation, but in no event shall such rates be greater for any use, consumption, trade or occupation, than those authorized in a certain contract lately existing between the municipality of Selma and the Selma Water Works Co. Said commission to cause to be kept neat and accurate books of all of its accounts, dealings and transactions with each water consumer, and its expenditures and disbursements, receipts and income and said books to be open to the inspection during office hours, of any tax payer of Selma; to make a monthly report of the affairs of said commission to the council of Selma, showing the amount due by each of the consumers of water during the month and the amount collected by commission from all sources, total disbursements and balance on hand, and, in what bank or banks same is deposited, and such other matters upon which the council of Selma may request report; said reports to be recorded on the minutes of the council; to designate at least one bank in Selma as a depository for all moneys of the commission, and to deposit therein all monies received by said commission to the credit of "The Selma Water Works Commission;" and all disbursements, whatever, shall be paid by check on such bank, drawn by the superintendent and manager of said commission and counter-signed by the president or in his absence, by one of the commissioners; to fix the compensation of such president at \$900.00 per annum, payable monthly, and that the other two commissioners, at five dollars per meeting, not to exceed ten dollars in any one month, for each commissioner; the mayor of Selma to be an ex-officio member of said commission without compensation or vote, to make a full annual report of its affairs to the council of Selma, on the 30th day of April, of each year, showing in detail the total collections during the fiscal year, ending on said day, the amount disbursed, and for what purpose and the balance on hand and the amount or amounts, owing the

said commission and from what source; and the amount, if any, due or owing by said commission, and the nature of such indebtedness; on the 1st day of May and November, up to and including May 1st, 1911, out of its receipts, to pay interest on the bonds secured by mortgage, dated May 1st, 1907, of the said plant, and after said time, to apply the net earnings of the said system and plant on the 1st day of May of each year, or as soon thereafter as possible, to the redemption of said bonds in their numerical order; to fix and draw up the necessary by-laws and rules for the management, conducting and controlling of said system and plant, for the government of said commission, and for the enforcement of prompt and faithful payments of the amounts due for water by consumers, not inconsistent with the provisions of this act, and to grant such commission full power and authority necessary and incidental to carry out the purposes for which the same was created.

The State of Alabama, }
The County of Dallas. }

Before me, John W. Lapsley, a notary public in and for said county, in said State, personally appeared J. C. Adler, who, being by me first duly sworn, deposes and says: That he is the publisher of The Selma Times, a newspaper published in Selma, in Dallas county, Alabama; that the foregoing pages, numbered one and two, contain a true and correct copy of a notice published in said paper, once a week for four consecutive and successive weeks, the said publication ending on the 8th day of July, 1907.

Further deponent saith not.

J. C. Adler.

Sworn to and subscribed before me this the 13th day of July, 1907.

John W. Lapsley,
Notary Public, Dallas County, Alabama.

S. 511. To authorize and empower the Alabama Industrial School, for white boys, to acquire real estate by purchase, condemnation or otherwise for the use of said school.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
Jefferson County. }

Before me Chas. S. Leeper, a notary public in and for said county in said State, personally appeared John L. McRae, who being duly sworn, deposes and says he is assistant business manager of the Age-Herald Publishing Company, a body corporate, and authorized to make this affidavit for said Company; that said Age-Herald Publishing Company publishes the "Age-Herald" in the city of Birmingham in said county and State and that said paper is a daily newspaper of general circulation in said county, and affiant further says that the notice hereto attached, relative to the Alabama Industrial School was published in said Age-Herald once a week for four consecutive weeks on the following dates, viz: 23rd day of May 1907, 30th day of May 1907, 6th day of June 1907 and the 13th day of June, 1907.

This affidavit is made in triplicate.

Jno. L. McRae.

Sworn to and subscribed before me, this the 8th day of June 1907.

Chas. S. Leeper, Notary Public.

NOTICE.

Notice is hereby given that at the next session of the Legislature of Alabama a bill will be introduced to authorize the Alabama Industrial School, for white boys, to acquire such lands, or such interest or easement in lands, as may be useful or convenient for the purpose of said school, either by purchase, by condemnation in the manner provided by law for the condemnation of private property for public use or in any other lawful manner.

S. 510. To authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama. }
Jefferson County. }

Before me, Charles S. Leeper, a notary public in and for said State and county, personally appeared W. H. Jeffries who being duly and legally sworn, deposes and says that he is manager of the Advertising department of the Birmingham Age-Herald; that the Birmingham Age-Herald is a newspaper published in the city of Birmingham, Jefferson county, Alabama; that the notice, a copy of which is hereto attached, was inserted, published and appeared regularly in the said Birmingham Age-Herald, in said county of Jefferson, State of Alabama, once a week for four consecutive weeks, without costs to the State of Alabama.

W. H. Jeffries.

Sworn to and subscribed before me this the 10th day of July 1907.

Chas. S. Leeper, Notary Public.

NOTICE.

Notice is hereby given that there will be introduced for passage at the adjourned session of the legislature of Alabama, which meets in July next, a bill to authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county whenever a necessity therefor exists. Said bill shall provide for a conference of all the judges of said courts to determine upon such necessity and the length of time the services of such special judge are needed and for a certification of such facts to the governor; and the gov-

ernor shall designate one of the judges of the city court of Birmingham to serve as special judge of said criminal court for the time the necessity therfor is so certified to exist. Said proposed act shall define the jurisdiction and powers of such special judge.

June 17, 1907.

S. 506. To amend section 1372 of the code of 1896 of the State of Alabama.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama. }
Etowah County. }

Personally appeared before me W. B. Ford, clerk of the circuit court in and for said county, Charles E. Meeks, who being duly sworn deposes and says that he is the business manager of the Gadsden Times-News, a newspaper published in Gadsden, in the county of Etowah State of Alabama, that the notice, a copy of which is hereto attached was published in said newspaper once a week, for four (4) successive weeks, and was first published in said newspaper in its issue dated 11th day of June, 1907, and last publication thereof, being in the issue dated 2nd day of July, 1907.

Charles E. Meeks.
Business Manager.

Subscribed and sworn to before me this the 10th day of July 1907.

W. B. Ford, Clerk Circuit Court.

NOTICE.

Pursuant to the requirement of the constitution of Alabama, notice is hereby given that a bill will be introduced at the adjourned term of the legislature of Alabama to increase the pay for ex-officio services of the clerk of the city court of Gadsden, judge of probate

and sheriff of Etowah county, and provide for payment of the same.

This June 8, 1907.

S. 502. To repeal all statutes and laws establishing county courts, and proceedings therein, with monthly terms, for the trial of misdemeanors so far as the county of Madison is concerned.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama. }
Madison County. }

Before me, W. F. Esslinger, a notary public in and for said county and State, this day personally appears Roy O'Neal, who being duly sworn, says that the following notice of intention to apply for local law to-wit:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW.

Notice is hereby given that a bill will be introduced in the legislature of Alabama at its session beginning the second Tuesday in January, 1907, repealing all statutes and laws establishing county courts and proceedings therein, with monthly terms, for the trial of misdemeanors, so far as the county of Madison is concerned, and repealing all conflicting laws.

Was published once a week for four consecutive weeks upon the following dates, to-wit: January 2, 9, 16 and 23, 1907, in the Evening Banner, a newspaper published in said county of Madison, and that affiant is the editor and publisher of said newspaper.

Roy O'Neal.

Sworn to and subscribed before me this the 24th day of January, 1907.

W. F. Esslinger, Notary Public.

S. 501. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved

February 23rd, 1899, acts 1898-99, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof, to the law and equity court of Madison county, and to give such court jurisdiction of such causes and proceedings and full power and authority thereover.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama. }
 Madison County. }

Before me, W. F. Esslinger, a notary public, in and for said State and county, this day personally appears Roy O'Neal, who being duly sworn, says that the following notice of intention to apply for local law, to-wit:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at its session beginning the second Tuesday in January, 1907, the substance of which is to repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23rd, 1899, acts of 1898-9, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof to the law and equity court of Madison county, and to give such court jurisdiction of such causes and proceedings and full power and authority thereover; such dockets and records to become a part of the dockets and records of said law and equity court, and repealing all conflicting laws.

Was published once a week for four consecutive weeks upon the following dates, to-wit: January 2, 9, 16 and 23, 1907, in the Evening Banner, a newspaper published in said county of Madison, and that affiant is the editor and publisher of said newspaper.

Roy O'Neal.

Sworn to and subscribed before me this the 24th day of January, 1907.

W. F. Esslinger, Notary Public.

S. 494. To fix the time and place of holding the chancery court in the Eighth district of the Northern division composed of the county of Madison.

And sends the same herewith to the House.

S. 493. To amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved Feb. 26, 1907:

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
Madison County. }

Before me, W. F. Esslinger, a notary public in and for said State and county, this day personally appears Susanna W. Clay, who being duly sworn, says that the following notice of intention to apply for amendments to local law, to-wit:

NOTICE OF INTENTION TO APPLY FOR AMENDMENTS TO
LOCAL LAW.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, at its present session, to be entitled an act to amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act to establish a law and equity court for Madison county approved February 26th, 1907.

The changes made by the amendments to said sections in the sections as they appear in the act are substantially as follows:

Section 7 is amended so as to change the terms of the court from the second Monday in January to the first Monday in March, and from the third Monday in September to the first Monday in October; the March term

may continue until the last Saturday in June, inclusive, and the October term until the last Saturday in February, inclusive.

Section 8 is amended so as to provide that grand juries must be organized the first week of each term, each session limited to two weeks unless the judge extends the session. A grand jury may also be organized at any other time during a term with duties and powers of grand juries, generally, sessions limited to the week in which organized unless the judge extends the session; to be summoned and organized in the manner provided by section 5,000 of the Code.

Section 14 is amended so as to require the justice or notary in cases of levy on land under execution or attachment from his court to transmit all the papers to the present term of this court, if practicable, otherwise to the next term, whereupon this court may proceed at once to order a sale of the land in like manner as circuit courts.

Section 21 is amended so as to provide that the register shall have, exercise and discharge the same powers and duties in term time as in vacation.

Section 24 is amended so as to make warrants in misdemeanor cases returnable before the judge, and so as to require an accused party wishing to have such charge investigated by a grand jury, to make the demand when the case is first called for trial, and in any event, before a continuance thereof and not afterward.

Section 27 is amended so as to require bills of exception to be signed within twenty days from the date of the judgment, but the judge may extend the time not later than ninety days from the date of the judgment, and any number of extensions may be made provided each order of extension is made before the expiration of the former order all not to exceed said ninety days.

Section 29 is amended so as to regulate more in detail the proceedings and practice in appeal cases from the courts of justices and notaries, the chief additions or changes being to make appeal cases returnable to the present term of the court unless the appeal is taken in vacation, then to the next term, and to provide that ap-

peal cases stand for trial at once, subject to the regulations laid down in the section as amended.

Section 32 is amended so as to require any balance of the funds arising from sentences for costs in misdemeanor cases in this court, above the costs, and all funds arising from sentences on convictions in this court, except that part of such funds arising from the sentence for the fine, over and above the amount necessary to pay the costs, to be paid into the county treasury to the credit of the general fund.

Each of said sections, as amended, except for the amendments thereto, is a substantial reproduction of such section as it appears in the act amended.

Was published once a week for four consecutive weeks upon the following dates, to-wit: May 22 and 29th, and June 5th and 12th, 1907, in the Huntsville Weekly Democrat, a newspaper published in said county of Madison, and that affiant is the editor and publisher of said newspaper.

Susanna W. Clay.

Sworn to and subscribed before me this the 13th day of June, 1907.

W. F. Esslinger,
Notary Public.

S. 492. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plan and survey of Smithfield by Dr. Joseph R. Smith, Sr., to-wit:

All that part of Thomas street lying between Valley Creek canal and Salley avenue.

All of Joseph street lying between Valley Creek canal and Irene avenue.

All of Mortimer street lying between Valley Creek canal and Agnes avenue.

All of Agnes avenue lying between Valley Creek canal and Mortimer street.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
 Jefferson County }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me, and who, being duly sworn, deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the 15th day of June, 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the 15th day of June, 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 15th, 22nd and 29th days of June and on the 6th day of July, 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama to pass a local law to vacate and annul the dedication of the following highways and parts of highways situated in Smithfield, Jefferson county, Alabama, according to the plan and survey of Smithfield by Dr. Joseph R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Salley avenue; all of Joseph street lying between Valley Creek canal and Irene avenue; all of Mortimer street lying between Valley Creek canal and Agnes avenue; all of Agnes avenue lying between Valley Creek canal and Mortimer street.

Lee C. Bradley,
 Thomas B. Smith.

Sworn to and subscribed before me this the 8th day of July, A. D., 1907.

Lutie Chisholm,
 Notary Public.

S. 490. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All that part of the alleys lying and running through blocks 83, 122, 126 and 168, lying within one hundred feet of Fourteenth street and the continuation thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land & Improvement Company, and situated in Bessemer, Jefferson county, Alabama.

Also all that part of the alley in block B of Hall's addition to Bessemer map and plan of the survey of which is recorded in the office of judge of probate of Jefferson county, Alabama, in map book 3 at page 23, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county

Also all that part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama.

Also all that part of Seventh street lying between First avenue and Alabama avenue in the city of Bessemer, Jefferson county, Alabama, and also all the alleys lying within and running through blocks two hundred and one and two hundred and two in the city of Bessemer, Jefferson county, Alabama.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
Jefferson County. }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me, and who being duly sworn deposes and says on oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the eleventh day of June, 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays,

in Birmingham, Jefferson county, Alabama, since prior to the eleventh day of June, 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 11th, 18th and 25th days of June, and on the 2nd day of July, 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama to pass a local law to vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit:

All that part of the alleys lying in and running through blocks 83, 122, 126 and 168, lying within one hundred feet of Fourteenth street and the continuance thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer by Bessemer Land & Improvement Company, and situated in Bessemer, Jefferson county, Alabama.

Also all that part of the alley in block B of Hall's addition to Bessemer, map of the plan and survey of which is recorded in the office of the judge of probate of Jefferson county, Alabama, in map book 3, at page 23, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama.

Also all that part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama.

Also all that part of Seventeenth street lying between First avenue and Alabama avenue in the city of Bessemer, Jefferson county, Alabama.

And also all the alleys lying within and running through blocks 201 and 202 in the city of Bessemer, Jefferson county, Alabama.

Lee C. Bradley,
Thomas B. Smith.

Sworn to and subscribed before me, this the 8th day
of July, A. D., 1907.

Lutie Chisholm,
Notary Public.

S. 489. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit:

All of Sadler Avenue; the south half of Lucian avenue from center of Emma street to center of Telula street; all of Lucian avenue from center of Telula street to eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block 25 and north of center of Valley Creek canal; all of Telula St. lying south of center of Lucian avenue and north of Center of Valley Creek canal; the east half of Telula street lying between a continuation of the south line of the alley running easterly and westerly through block twenty-five and center of Lucian avenue; all of Emma street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-eight, and north of the center of Valley Creek canal; the east half of Emma street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all the alleys in or through blocks twenty-nine, thirty and thirty-one; all being located according to the survey, map and plan of Owenton a map of which is recorded in map book two, at page twenty-six, in the office of the probate judge of Jefferson county, Alabama.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
Jefferson County. }

Before the undersigned, Lutie Chisholm, a notary public in and for the county and State aforesaid, personally appeared Thomas B. Smith, who is known to me, and who, being duly sworn, deposes and says on

oath that he is business manager of the "Birmingham Ledger" and has been such business manager continuously since prior to the eleventh day of June, 1907; that the Birmingham Ledger is a newspaper of general circulation, which has been published daily, except Sundays, in Birmingham, Jefferson county, Alabama, since prior to the eleventh day of June, 1907; and that the notice hereinbelow attached was published without cost to the State of Alabama, in regular issues of said newspaper which were published on the 11th, 18th and 25th days of June, and on the 2nd day of July, 1907, the said notice being in words and figures as follows, to-wit:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama to pass a local law to vacate and annul the dedication of the following highways and parts of highways situated in Jefferson county, Alabama, to-wit:

All of Sadler avenue; the south half of Lucien avenue from center of Emma street to center of Telula street; all of Lucien avenue from center of Telula street to eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block 25 and north of center of Valley Creek canal; all of Telula street lying south of center of Lucien avenue and north of center of Valley Creek canal; the east half of Telula street lying between a continuation of the south line of the alley running easterly and westerly through block 25 and center of Lucien avenue; all of Emma street lying south of a continuation of the south line of the alley running easterly and westerly through block 28 and north of the center of Valley Creek canal; the east half of Emma street lying between the continuation of the south line of the alley running easterly and westerly through block 28 and the center of Lucien avenue; and all the alleys in or through blocks 29, 30 and 31; all being located according to the survey, map and

plan of Owenton, a map of which is recorded in map book 2, at page 26, in the office of the probate judge of Jefferson county, Alabama.

Lee C. Bradley,
Thomas B. Smith,

Sworn to and subscribed before me this the 8th day of July, A. D., 1907.

Lutie Chisholm,
Notary Public.

S. 479. To provide for the more efficient working of the public roads in Mobile county and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners Mobile county; to prescribe the duties and fix the authority of said board; and provide for the levy and collection of a road tax and the method of disbursing moneys necessary to carry out the provisions of this act, and provide penalties for violations of its provisions.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

(Exhibit A.)

Notice is hereby given of the intention to apply to the Legislature of Alabama for the passage of a local or special law, the substance of the proposed law being to provide for the control, working, maintenance, building and improving the public roads in Mobile county, as well as certain roads or thoroughfares within the city of Mobile, and to provide a road tax, to be paid by ~~persons not exempt under the general laws from road~~ duty, the collection and disbursement thereof and a penalty for any failure to comply with the provisions of the law.

In substance, the proposed law will place the entire subject matter in the charge and control of the board of revenue and road commissioners of Mobile county,

who elect a road superintendent; to provide that the superintendent shall, under the direction of the board, oversee and direct all work on every road embraced in the county, and those in the city provided for; the board to fix the compensation of the superintendent; to authorize the board to appropriate such moneys out of the county treasury as may be necessary for the proper working, maintenance and improvement of the said roads; to make all persons liable to road duty, except those exempt under the general laws, providing, however, for a release from such liability upon the payment of not more than three dollars road tax, and fixing a penalty for failure to pay.

To provide for the collection of the road tax; the making of lists in each precinct of persons liable to road duty, and requiring payment of the tax to the nearest justice of the peace or the county treasurer, numbered receipts issued by the county treasurer to be given for each payment; the deposit of same with the county treasurer and commissions of justice of the peace; the county treasurer shall audit the receipt books issued by him, keep an accurate account and deposit the revenue in a separate fund known as "road tax;" the board to fix his compensation; to require all corporations or firms, employing two or more persons, to furnish the county treasurer with the names of such, and fixing a penalty for failure to do so.

To provide where persons who do not pay the road tax may be worked on the roads; to permit the working all or any part of said roads by contract, but all contracts over \$50 must be advertised for at least ten days and awarded to the lowest bidder, provided any or all bids may be rejected; to authorize the employment of such labor, the purchase of such property, wagons and outfits as may be necessary to carry on the work; to require the majority of the board of county commissioners to visit together every road in the county of Mobile at least three times a year, and make affidavit to that effect, and a penalty for failure so to visit the roads; to require the superintendent to keep detailed accounts of all work, and a map showing where all work is done;

and as compensation the members of the board of revenue and road commissioners for the services hereby required of them they shall be entitled to and receive one thousand dollars per annum, payable monthly.

The State of Alabama, }
Mobile County. }

Before me, the undersigned authority, personally appeared M. P. Dowling, who is known to me, and who being first duly sworn, does depose and say: I am the book-keeper for The Mobile Daily Item; I have personal knowledge that the foregoing notice marked "Exhibit A" was published in The Mobile Daily Item, a newspaper published in the city and county of Mobile, Alabama, once a week for four consecutive weeks, to-wit, on June 4, June 11, June 18, and June 25, 1907.

M. P. Dowling.

Subscribed and sworn to before me this 12th day of July 1907.

Chas. M. Stokes,

Notary Public, Mobile County, Ala.

S. 478. To provide for the election of a harbor master and three deputy harbor masters and to regulate their duties and provide for their compensation.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
Mobile County. }

Personally appeared before me, C. H. Costello, a notary public in and for said State and county, Thomas B. Allman, who on oath deposes and says that he is the cashier of the Herald Publishing Company; that said company publishes the Mobile Daily Herald, which is a newspaper published in the city and county of Mobile; that the subjoined advertisement was published in said newspaper once each week for four consecutive weeks, as required by section 106 of the constitution, that is to say:

Thomas B. Allman.

Subscribed and sworn to before me this 12th day of
July, A. D., 1907. C. H. Costello.

NOTICE.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama to pass an act or acts amendatory of the existing laws in relation to the harbor master and deputy harbor master of the port of Mobile, their appointment, duties and compensation; to the extent of prescribing for the election of three or more deputy harbor masters, not exceeding four; or further defining the duties of harbor master and deputy harbor masters, and prescribing the hours during which they shall severally perform the duties of their office and providing for the compensation for the said harbor master and deputy harbor masters by the imposition of the same fees as are imposed on vessels for superintendence of the shifting or mooring of the same and the distribution of these fees among the said harbor master and deputy harbor masters.

S. 458. To create the office of county stenographer for Dallas county; to provide for his appointment and compensation; to prescribe his powers and duties; and to provide for the taxing and collection and disposal of stenographer's fees in the court of record of Dallas county.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the next session of the Legislature of Alabama in July, 1907, for the passage of an act creating the office of court stenographer for Dallas county; to be appointed by the judge of the city court of Selma, to serve so long as his services are satisfactory to said judge, and to be paid a salary not exceeding twelve hundred dollars per annum by said county; to define his powers and duties,

the same to include the reporting of all cases in the courts of record of said county and such other cases and perform such other duties as directed by said judge; to provide that his reports of preliminary and habeas corpus cases shall be deemed prima facie correct; provide for taxing of stenographer's fees in all cases tried in the circuit court of Dallas county and city court of Selma, and in such cases in the probate court, reported by him as follows: Capital felonies, \$5; other felonies, violation of prohibition laws and revenue laws and civil cases, \$3.00; all other cases, \$2.50 and 6 cents per hundred words for transcripts, to be taxed and collected as clerk's and other fees in such cases are now collected by law and to be paid into treasury of said county.

The State of Alabama, }
County of Dallas. }

Before me, H. F. Reese, a notary public in and for said county and State, personally appeared H. B. Kinsey, who, being by me first duly sworn, deposes and says, that he is publisher of the Selma Mirror, a newspaper published in Selma, Dallas county, Alabama; that the notice hereto attached was published once a week for four successive weeks in said newspaper, on the following days, to-wit: June 8, 1907; June 14, 1907; June 21, 1907; June 28, 1907. H. B. Kinsey.

Sworn to and subscribed before me this the 6th day of July, 1907.

H. F. Reese,
N. P. Dallas Co., Ala.

S. 450. To refund to Selma mortgage tax paid by it on the deed of trust made by it to Chicago Title & Trust Co. to secure the Selma water works bonds.

~~And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:~~

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, which meets in July, 1907, providing, in substance, for the refunding to Sel-

ma of one hundred forty-two and 50-100 (\$142.50) dollars and seventy-one and 25-100 (71.25) dollars mortgage taxes received by the State of Alabama and Dallas county, respectively, on a certain deed of trust executed by Selma to Chicago Title & Trust Company to secure a bond issue of one hundred fifty thousand and 00-100 (\$150,000.00) dollars.

The State of Alabama, }
The County of Dallas. }

Personally appeared before me, John W. Lapsley, a notary public in and for said county, in said State, J. C. Adler, who, being by me first duly sworn, deposes and says: That he is the publisher of the "Selma Times," a newspaper published in said county and State, and that the notice hereinbefore copied was published once a week for four consecutive weeks in said newspaper, the last publication of such notice being made in said newspaper on July 7th, 1907.

J. C. Adler.

Sworn to and subscribed before me this the 8th day of July, 1907.

John W. Lapsley,
Notary Public, Dallas County, Alabama.

S. 448. To repeal an act entitled an act "To define who are delinquent children and to provide for their arrest and care and reformation," approved March 12, 1907, in so far as it applies to Dallas county.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that application will be made to the Alabama Legislature, for the passage of a law, when it meets in July, 1907, the substance of which will be to repeal an act entitled an act to define who are delinquent children and to provide for their arrest and care and reformation, approved March 12th, 1907," so far as it applies to Dallas county.

The State of Alabama, }
 County of Dallas. }

Before me, H. F. Reese, notary public in and for said county and State, personally appeared H. B. Kinsey, who, being by me first duly sworn, deposes and says that he is the publisher of the Selma Mirror, a newspaper published in Selma, Dallas Co., Ala.; that the notice hereto attached was published once a week for four successive weeks in said newspaper, on the following days, to-wit: June 1, 1907; June 8, 1907; June 14, 1907; June 21, 1907.

H. B. Kinsey.

Sworn to and subscribed before me this the 6th day of July, 1907.

H. F. Reese,
 N. P. D. Co., Ala.

S. 421. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAWS.

Notice is hereby given that at the adjourned session of the Legislature of Alabama, which meets in July next, bills will be introduced as follows: Four in number.

1. Prohibiting the running of traction engines in Bibb, Alabama, on the public roads of said county.

11. Imposing a license of \$500.00 per year on each vehicle or engine operated or drawn or propelled on and along the public roads of said county of Bibb, State of Alabama, the tire or thread or wheel face of which said vehicle or engine exceeds eight inches, and providing for the collection of said license.

111. Providing that where an engine or vehicle with a tire or thread or wheel face exceeding eight inches is drawn or operated or propelled on or along the public roads of said county of Bibb, State of Alabama, it shall be the duty of the county commissioners residing in the

district in which said engine or vehicle is operated to make an inspection at least once each month of the public roads and bridges which have been used or traveled in his district by said engine or vehicle and to assess from the best information which he can obtain the amount of the damage done to said bridges and roads by said engine or vehicle during the thirty days next preceding his inspection, which said damages shall be due to the county of Bibb, State of Alabama, for road purposes and which damages so assessed by said commissioner shall be a lien against the said engine or vehicle and to provide for appeals from the decisions and assessment of said commissioner and for the enforcement of the lien herein named.

1111. To regulate the operation of traction engines in Bibb county, Alabama.

Appropriate remedies and penalties will be made a part of each of said bills for the proper enforcement of same.

The State of Alabama, }
Bibb County. }

Before me, R. L. Avery, clerk of the circuit court of Bibb county, Alabama, personally appeared L. H. Nunnelee, who, being by me first duly sworn, says on oath that he is publisher of the Centreville Press, a newspaper published in Bibb county, Alabama, and that the above and foregoing notice attached to this paper and marked exhibit "A" was published in the Centreville Press for four consecutive weeks. That the first insertion was on the 16th day of May, 1907.

L. H. Nunnelee,
Publisher of Centreville Press.

Sworn to and subscribed before me this 8th day of July, 1907.

R. L. Avery,
Clerk of Circuit Court.

S. 420. To further regulate the working of the public roads of Bibb county, Alabama.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

LOCAL NOTICE.

Notice is hereby given that a bill will be introduced and an application will be made for the passage of same before the Legislature of the State of Alabama when it convenes in July, 1907.

1st. To regulate the public roads of Bibb county, Alabama, and the repairing and working of same.

2nd. To provide for two road supervisors for Bibb county, and to provide for their selection and to prescribe their duties, qualifications, term of office, compensation, and penalties for failure in discharge of their duties.

3rd. To provide for the collection of the per capita road tax, and to fix the amount of same.

4th. To provide for the relocation and reestablishing of the public roads of Bibb county.

5th. To prescribe who shall be subject to road duty in Bibb county, to prescribe the length of time required to work and to fix the time for the payment of the per capita tax.

6th. To provide for the levying of the same special tax, which is two-twentieths of one percentum upon the taxable property of the county, as is now authorized by law, and to provide for the collection and disbursement of same.

7th. To provide for the working and repairing of the public roads of Bibb county, Alabama, and to prescribe who shall be in control of same, and to prescribe penalties for the failure of any person or officer to discharge his duty to the public roads, and to prescribe for the violation of any provision of the road law for Bibb county.

8th. To prescribe how the names of persons subject to road duty may be procured, and to provide for the warning of men subject to road duty and all other acts

incident to the working and repairing of the public roads of Bibb county.

9th. To prescribe what shall be an improper use of the public roads or bridges of the county, and to prescribe penalties for the improper use of same.

9th. To authorize the commissioners' court of Bibb county to provide for working and to work the county convicts on the public roads of the county.

9 1-2. To provide for overseers or assistant supervisors and to prescribe their duties, compensation and penalties for failure to discharge their duties or enforcement of the law.

10th. To provide for a bond to be given by any person or officer collecting or having in charge or under control any of the road funds of Bibb county.

11th. To make any and all provision necessary or incident to the working or improving of the public roads of Bibb county, Alabama, and to make any and all provision for or incident to the execution or enforcement of this proposed law.

12th. Appropriate penalties and remedies will be enacted and provided for to secure the execution and enforcement of this proposed law.

W. L. Pratt,
H. E. Reynolds,
J. T. Fuller,

Committee appointed by Good Roads Meeting, June 8th, 1907.

The State of Alabama, }
Bibb County. }

Before me, R. L. Avery, clerk of the circuit court in and for said county and State, personally appeared L. H. Nunnelee, who, being first duly sworn on his oath, states that he is now and has been for more than twelve months prior to this date editor and publisher of The Centerville Press, a weekly newspaper published weekly at Centerville, in Bibb county, Alabama; that the above notice is a clipping from the Centerville Press, and that the above notice was published in The Centerville Press for four consecutive weeks, viz.: in the issue

of the said newspaper on the 13th, 20th and 27th days of June, 1907, and on the 4th day of July, 1907, and that the said notice was published for four consecutive weeks in said newspaper prior to this date.

L. H. Nunnelee,
Editor and Publisher of The Centerville Press.

Sworn to and subscribed before me this 6th day of July, 1907.

R. L. Avery,
Clerk Circuit Court, Bibb County, Alabama.

S. 418. To fix the compensation to be allowed the sheriff and clerk of the circuit court of Conecuh county, Alabama, for all official duties for the compensation of which no express provision is made by law.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a special bill will be introduced at the present session of the Legislature of Alabama, which re-convenes in Montgomery July 8th, 1907, for the passage and enactment of a special law for Conecuh county, Alabama, to regulate the fees for services commonly known as ex officio fees for the sheriff and clerk of the circuit court of Conecuh county, and providing that the compensation of the sheriff for such services shall not exceed \$500 and that the compensation of the clerk for such services shall not exceed \$400.

The State of Alabama, }
Conecuh County. }

Before me, F. J. Dean, judge of probate in and for the county and State aforesaid, personally appeared George W. Salter, Jr., who on oath doth say that he is the editor and publisher of the Evergreen Courant, a newspaper published weekly in the town of Evergreen, county of Conecuh, State of Alabama, and that the foregoing notice has been published every week for four consecu-

tive weeks in said newspaper prior to this date and in the year 1907.

George W. Salter, Jr.

Sworn to and subscribed before me this the 8th day of July, 1907.

F. J. Dean,

Judge of Probate.

S. 415. To repeal an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large."

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
Butler County. }

Before me, Thos. J. Judge, a notary public in and for said county and State, personally came Gordon Pierce, who is known to me and who being first, by me, duly sworn, doth depose and on oath say as follows, to-wit: That he is the manager of the printing department of the Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set forth, was published in said county in said paper for four consecutive weeks beginning with January 16th, 1907; and that the following is a true and correct copy of said notice:

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama, now in session, for the purpose of repealing an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large," approved Feb. 17th, 1893, and which said act is found in acts of Alabama of 1892-3, on pages 660, 661, 662, 663. This 12th day of Jan., 1907.

J. Lee Long.

Gordon Pierce.

Sworn to and subscribed before me on this 6th day of July, 1907.

Thos. J. Judge,
Notary Public.

S. 393. To authorize an election in the county of Talladega, to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

And sends same herewith to the House with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Is hereby given that application will be made to the Legislature of Alabama at its adjourned sitting July, 1907, for enactment into law of the following: Viz, A bill to be entitled an act to authorize an election in the county of Talladega, to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

Sec. (1) Be it enacted by the Legislature of Alabama; That in order to ascertain the will of a majority of the qualified electors of Talladega county as to whether or not bonds shall be issued by said county, in the sum of two hundred and fifty thousand dollars, for the said purpose of macadam, chert and gravel public roads in said county, it is hereby enacted, that upon the filing of a petition with the court of county commissioners of said county, not earlier than the November term, 1908, of said court, signed by not less than two hundred and fifty of the qualified electors of said county, praying for such election that the said court of county commissioners of said county shall thereupon by order entered upon the minutes of said court appoint a day not less than thirty days from the making of such order, for election to be held at the several polling places in said county, at which all the qualified electors of said county shall be entitled to vote, and shall give notice of the

time and place for holding such election and the purpose thereof, by publication in some newspaper published in the county for three consecutive weeks.

Sec. (2) Be it further enacted that said election shall be conducted as near, as may be provided by law for holding of general elections: The ballots to be voted to have printed thereon "For Bonds" and "Against Bonds" in separate lines, the preference of the elector to be manifested by making a cross mark before the words "For Bonds" or "Against Bonds" as he may determine.

Sec. (3) Be it further enacted, That the returns of said election shall be made to the sheriff of said county, and the same shall be canvassed by the judge of probate, circuit clerk and sheriff of said county, and the result certified to the court of county commissioners of said county, either at the next regular meeting, or at a meeting of said court called for that purpose, by the judge of probate

Sec. (4) Be it further enacted, That if a majority of the votes cast at such election, shall be "Against Bonds" an entry to that effect shall be entered upon the minutes of said court. Should a majority of the votes cast at said election be "For Bonds" then full entry of that fact, together with the petition for election, the orders of the court, thereon: the returns of the election as tabulated by the board of canvassers, shall be entered of record on the minutes of the court, and such other proceedings had as may be provided by law for the issuance and sale of said bonds and the appropriation of the proceeds thereof, for the purpose set forth. Provided that this act shall be inoperative and of no effect unless a bill to be entitled "An act to authorize Talladega county, Alabama, to build and construct, macadam, chert and gravel public roads and the necessary bridges, culverts and drainways therefor and to issue bonds of said county to aid in the construction thereof" shall be entitled into law.

Sec. (5) Be it further enacted, that the expenses of any election under this act shall be paid by the county of Talladega, upon the order of the court of county commissioners.

The State of Alabama, }
 Talladega County. }

Personally appeared before me, a judge of probate, in and for said county, E. L. C. Ward, who being duly sworn according to law deposes and says that he is the editor of the Talladega Reporter, a newspaper published in said county and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues thereof dated as follows: June 8th, 1907, June 15th, 1907, June 22nd, 1907, and June 29th, 1907.

E. L. C. Ward.

Subscribed and sworn to before me this 6th day of July, 1907.

J. E. Camp,
 Judge of Probate.

S. 392. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads and the necessary bridges, culverts and drainways therefor and to issue bonds of said county to aid in the construction and building thereof.

And sends same herewith to the House with notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Is hereby given that application will be made to the Legislature of Alabama, at its adjourned sitting in July, 1907, for the enactment into law of a bill to be entitled: "An act to authorize Talladega county, Alabama, to build and construct, macadam, chert and gravel public roads, and the necessary bridges, culverts and drainways therefor and to issue bonds for said county to aid in the construction and building thereof."

The said proposed act in substance provides for the appointment by the governor of a road commission con-

sisting of three resident citizens of the county, one of whom shall be the president of said board of commission, which shall have charge of the building and construction of said roads, or parts of public roads to be built, changed or re-located and the character of road, whether macadam, chert or gravel shall be, at the direction of said board, and built for the best interests of the general public and not confined to any one line of road, or to any particular part of the county.

That for the purpose of carrying out the purposes of said act, the county shall be authorized through its court of county commissioners to issue thirty year bonds, bearing interest at not exceeding 5 per cent per annum, payable semi-annually at a bank or banking house in the cities of Talladega and Birmingham, Alabama, and New York, State of New York, the issuance and sale of said bonds to be contingent on an election to be held in the county of Talladega of a majority of the qualified electors of said county, voting at said election, voting in favor of the issuance of said bonds in the amount of \$250,000.00. The said election to be held, not earlier than the latter part of the year 1908; that if, at such election, a majority of the qualified electors of said county voting thereat shall be against the issuance of said bonds, then this proposed act shall not be operative and no bonds issued. Said bonds if issued, to be redeemable at the option of the court of county commissioners after twenty years from issuance.

The said bill further provides that the said commission or board shall employ an engineer to re-locate or change present roads and to give the grade thereof, and place the same on the best ground for permanence, ease of repair and with the best drainage. That said commission shall let contracts after due notice to the lowest responsible bidders, taking bonds from contractors to secure the faithful performance of contracts; that when no contract is bid for, or the bid is unreasonable and rejected, the commission may have the work done to the best advantage, at their discretion, no member of the commission to be a contractor or in any way interested in a road building contract.

The president of the commission shall be the custodian of the funds arising from the sale of said bonds to the extent of \$25,000.00 only at one time, and shall give bond approved by the judge of probate in the sum of \$25,000.00 conditioned as the bond of the county treasurer and payable to Talladega county.

The president and each of the other commissioners of the said board to give bond to the amount of \$1,000.00 or payable to the county conditioned for the faithful performance of his duties. The said commission may acquire by purchase or agreement with the owners of right of way and material such as beds of stone, chert or ground for the construction and buildings of public roads and may acquire the same by condemnation proceedings as now provided by article 1, chapter 42, of the Code of 1896, amended by act of October 1st, 1903. The bonds to be issued shall be 500 in number and for \$500.00 each to be signed and sealed by the judge of probate and countersigned by the county treasurer and shall bear interest from the date of issue, and issued from time to time as the money may be required, to the extent of \$25,000.00.

The said bonds to have interest coupons attached, payable at the places designated in the face of said bond. The court of county commissioners may employ an agent to negotiate the sale of said bonds, and shall have the right to apply any surplus revenue of said county to the purchase of said bonds in the open market and retire the same, making full record thereof.

The said court of commissioners shall annually set apart from the general revenue of said county an amount sufficient to pay the annual and semi-annual interest accruing on said bonds and at the expiration of 20 years from the issuance of said bonds, shall set apart out of the revenue of said county an amount not less than one-sixth part thereof for the payment of the interest on said bonds; and any surplus thereof to the payment thereof, and the retirement of said bonds.

The said commission shall have a regular meeting once every three months, and called meetings when the exigencies require. The said commission shall keep a

record of all its proceedings, taking vouchers for all sums paid out, and make report each quarter to, and settlement every six months with the court of county commissioners.

The president shall receive \$4.00 per day, and the associates \$3.00 each per day, while in the actual discharge of their duties, as such board; and the president shall receive one-eighth of one percent of the monies received by him as custodian. The bonds issued by the county under this act shall be exempt from taxation by Talladega county or the municipalities thereof.

The said act shall not be construed as amending or repealing the existing road laws of Talladega county.

The State of Alabama, }
Talladega county. }

Personally appeared before me, a judge of probate in and for said county, E. L. C. Ward, who, being duly sworn according to law, deposes and says that he is the editor of The Talladega Reporter, a newspaper published in said county, and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues thereof as follows: June 8th, 1907, June 15th, 1907, June 22nd, 1907, and June 29th, 1907.

E. L. C. Ward.

Subscribed and sworn to before me this 6th day of July, 1907.

J. E. Camp,
Judge of Probate.

S. 441. To amend section one of an act "to prohibit, regulate and restrict the sale or other disposition of intoxicating liquors, drinks or beverages within the State of Alabama by providing for elections in the various counties of the State to determine whether the sale or other disposition of such intoxicating liquors, drinks or beverages shall be so prohibited, regulated and restricted."

And sends same herewith to the House without engrossment.

And has amended as therein shown, and as amended has passed:

H. 562. To regulate the practice of pharmacy and the sale of poisons in the cities and towns of more than nine hundred inhabitants in the State of Alabama, and fixing the penalty for violations thereof, and to repeal chapter 89 of the civil Code of Alabama, 1896, and section 5335 of the criminal Code of Alabama, 1896, and all other laws in conflict with the provisions of this act.

And returns same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message, were read one time and referred to appropriate standing committees as follows:

Local Legislation, S. 526, S. 506, S. 502, S. 501, S. 492, S. 490, S. 489, S. 421, S. 418, S. 415.

Revision of Laws, S. 523, S. 478, S. 458, S. 450, S. 448

Judiciary, S. 511, S. 510, S. 494, S. 493.

Public Roads and Highways, S. 479, S. 420, S. 393, S. 392.

Temperance, S. 441.

On motion of Mr. Lovelady, the House concurred in the Senate amendment to the bill, H. 562, said Senate amendment being as follows:

Amend section 5 by striking out word "two" before year and insert in lieu thereof the word "one."

After the word morphine in section 8 to read except upon the prescription of a duly and legally licensed physician, surgeon or dentist, and then only in quantities not exceeding five (5) grains, unless prescribed with other drugs.

Section 18. That this act shall take effect July 1, 1907.

Amend by making July 1st read Jany. 1st, 1908.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Pitts (Perry)
Armstrong	Henley	Powell (Bullock)
Arnold	Hoffman	Powell (Covington)
Ballard (Autauga)	Hughston	Pratt
Ballard (Pike)	Johnson	Price
Baltzell	Jones	Ragsdale
Bloch	Killen	Rainer
Brown	King	Rattray
Bulger	Kornegay	Rowe
Burney	Lee (Houston)	Rushton
Cannon	Lovelady	Sanford
Carmichael (Clay)	Malone	Seale
Coleman (Lowndes)	Maner	Sherrod
Cooper	Mitchell	Smith (Elmore)
Crum	Moore	Smith (Franklin)
Doyle (Marengo)	McCrory	Steagall
Edwards	McDuffie	Thompson
Foster	Oliver	Tunstall
Fuller	Pearson	Weaver
Glover	Pitts (Dallas)	Woolf

—60.

BILLS ON THIRD READING.

H. 1301. To prohibit the sale, barter, exchange, or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages, in the county of Houston, in the State of Alabama; and to provide for an offense and a penalty for the sale, barter, exchange, or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages in the said county of Houston.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Benners	Burney
Arnold	Benson	Cannon
Avery	Brown	Cooper
Barton	Bulger	Crum

Dudley	Lawson	Rattray
Elrod	Lee (Houston)	Rowe
Foster	Lovelady	Rushton
Fuller	Lyons	Sample
Glover	Malone	Sanders
Goodwyn	Mastin	Sanford
Gunter	Moore	Seale
Henley	Oliver	Steagall
Hoffman	Parker	Tunstall
Johnson	Pearson	Turner
Jones	Peete	Urquhart
Killen	Pratt	Vann
King	Price	Weaver
Kirby	Ragsdale	Woolf
Kornegay	Rainer	

—56.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bill:

S. 560. To provide for the appointment by the judges of the city court of Birmingham, of the necessary bailiffs for said court and to fix the duties, powers, liabilities and compensation of said bailiffs and to provide for the payment of their compensation.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that at the meeting of the adjourned session of the Legislature of Alabama, July, 1907, a bill in substance as follows, will be introduced for passage:

Section 1. Be it enacted by the General Assembly of Alabama, That the judges of the city court of Birmingham be and they hereby are authorized, empowered and

required to appoint the necessary bailiffs for said court, not more than six in number, who shall attend the sessions of said court constantly while said court is in session and shall do and perform such duties connected with said court as may be directed by the judges thereof and whose compensation shall be \$60.00 per month for each month they are in constant service and actual attendance upon the sessions of said court and which shall be paid by the county treasurer of Jefferson county out of any funds in the treasury of said county not otherwise appropriated on the first day of each month upon the certificate of the clerk of said court that said bailiffs have for the month past been in actual and constant attendance and service upon the sessions of said court. Each bailiff shall be appointed for not more than one term of said court, and shall be subject to removal at any time by judges thereof.

Section 2. Said bailiffs shall have, while in attendance on said court and executing the orders and the directions of the judges of said court, all the power and authority now possessed and exercised by deputy sheriffs when attending said court and executing the orders of said judges, and shall be accountable on the bonds hereinafter required to be given by them in same manner as the sheriff now is accountable for the acts and omissions of deputy sheriffs attending said court.

Section 3. Each of said bailiffs before entering upon the duties of his office must take the oaths of office required by the constitution and laws of Alabama for executive officers and must each give bond with surety in an amount to be fixed by the judges of said court, payable and conditioned as prescribed in section 3070 of the Code of 1896, which bonds must be approved by the judge of probate of Jefferson county and recorded and filed in his office.

Section 4. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

The State of Alabama, }
 Jefferson County. }

Personally appeared before me, J. W. Hargrove, a notary public in and for said county and State, F. K. Gamble, who deposes and says that he is assistant business manager of the Alabama Christian Advocate, a newspaper published in Birmingham, said State and county, and that he is authorized to make this affidavit. He further states that the notice hereto attached was published in the Alabama Christian Advocate for four consecutive weeks, beginning June 6th, 1907, and ending June 27th, 1907, and that the notice hereto attached is a true and correct copy of the notice which appeared in said paper and that said publication was without costs to the State of Alabama.

F. K. Gamble,
 Assistant Business Manager.

Sworn to and subscribed before me this the 6th day of July, A. D., 1907.

J. W. Hargrove.
 Notary Public.

And has passed the following House bills:

H. 964. To amend sections 5 and 15 of an act entitled "An act to establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers, prescribe their powers, duties, compensation and term of office, fix the time of holding said court, and provide for fees, commissions, fines, forfeitures and juries in said court, provide for supplies for said court, and repeal conflicting laws," approved the 5th day of March, 1907..

H. 1033. Providing for the more efficient working of the public roads in Wilcox county; to provide for the revenues for the same, including a vehicle license; to divide the county into five road districts; to appoint and elect road supervisors and overseers. for the same; to provide for the appointment of one civil engineer; to provide for a computation of \$7.50 per capita in lieu of work; and such other details as may be necessary for the working of the public roads in Wilcox county.

H. 897. To change the bounadry line between the counties of Cleburne and Calhoun.

H. 960. To amend section 1 of an act entitled an act "to aid and encourage technical education in the State of Alabama and the providing for the erection and equipment of buildings and increased facilities at the Alabama Polytechnic Institute," approved March 2, 1907, so as to read as follows.

H. 932. To vacate and annul as a public street or highway that part of Seventh or Twenty-third street in the town of North Birmingham, Alabama, which lies northwestwardly of the northern line of Avenue A or Thirty-sixth avenue and southwestwardly of the southern line of avenue B of Thirty-seventh avenue, and to extinguish and annul the dedication thereof.

H. 912. To repeal an act entitled an act "To constitute a board of jury commissioners for Crenshaw county," approved February 7th, 1899.

H. 686. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23, 1899, acts 1898-99, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof, to the law and equity court of Madison county, and to give such court jurisdiction of such causes and proceedings, and full powers and authority thereover.

H. 690. To require the county board of education of Wilcox county to audit and pass upon the accounts of the district trustees of the several school districts in Wilcox county of funds paid over to them by the superintendent of education of Wilcox county arising out of the dispensary at Camden to be used by them for school purposes.

H. 687. To repeal all statutes and laws establishing county courts, and proceedings therein, with monthly terms, for the trial of misdemeanors (Code 4593, et seq.) so far as the county of Madison is concerned.

H. 761. To extend the police power and jurisdiction of the city of Sylacauga over and about the property and premises of the Central Mills, a corporation under the

laws of Alabama, in the vicinity of said city, in the county of Talladega, and to empower the corporate authorities to exercise police jurisdiction over the said Central Mills property and within the limits of one hundred and fifty feet from the boundary thereof.

And returns same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to an appropriate standing committee as follows:

Local Legislation, S. 560.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bills:

S. 520. To amend an act entitled an act to create a railroad commission to be known as the Railroad Commission of Alabama; define its duties and powers and provide for its mode of procedure and prescribe penalties for violation of its orders, approved the 23rd day of February, 1907.

And sends same to the House without engrossment.

S. 575. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county, or other authorized agents of said county borrowing money for the use and benefit of said county and to ratify and confirm the warrants given for money so borrowed and for the interest thereon and for warrants heretofore issued for said purpose.

And sends same herewith to the House, without engrossment, with notice and proof attached and herewith exhibited as follows:

A bill will be introduced at the ensuing session of the Legislature of Alabama to ratify and confirm the

acts and contracts of the court of county commissioners of Wilcox county or other authorized agents of said county borrowing money for the use and benefit of said county, and to ratify and confirm the warrants given for money so borrowed and for the interest thereon, and for warrants heretofore issued for said purpose.

The State of Alabama, }
Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said county, J. R. Foster, who is publisher of the Wilcox Banner, a newspaper published at Camden, in Wilcox county, Alabama, and who deposes and says that the notice hereto attached was published in the Wilcox Banner for four consecutive weeks, as required by law.

J. R. Foster.

Sworn to and subscribed before me, this 8th day of July, 1907.

Francis M. Purifoy,
Justice of the Peace.

S. 574½. To ratify and confirm and legalize all warrants heretofore issued by the court of county commissioners of Wilcox county for the use and benefit of the underwriters of the Camden branch of the Louisville & Nashville railroad.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

A bill will be introduced at the ensuing session of the Legislature of Ala., to ratify and confirm all warrants heretofore issued by the court of county commissioners of Wilcox county for the use and benefit of the underwriters of the Camden branch of the Louisville & Nashville railroad.

6-5-4t

The State of Alabama, }
Wilcox County. }

Personally appeared before me, Francis M. Purifoy, a justice of the peace in and for said county, J. R. Fos-

ter, who is publisher of the Wilcox Banner, a newspaper published at Camden, in Wilcox county, Alaama, and who deposes and says that the notice hereto attached was published in the Wilcox Banner for four consecutive weeks, as required by law.

J. R. Foster.

Sworn to and subscribed before me, this 8th day of July, 1907.

Francis M. Purifoy,
Justice of the Peace.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were read one time and referred to appropriate standing committees, as follows:

Commerce and Common Carriers, S. 520.

Local Legislation, S. 574 1-2, S. 575.

BILLS ON THIRD READING.

S. 445. To fix and provide for the salary of the judge of the city court of Selma.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker
Alford
Arnold
Avery
Baltzell
Barton
Benson
Brown
Bulger
Burney
Cannon
Cooper

Crum
Dudley
Edwards
Foster
Fuller
Glover
Goodwyn
Gunter
Haley
Hoffman
Hughston

Johnson
Jones
Killen
King
Kirby
Kornegay
Lacy (Dallas)
Lawson
Lovelsdy
Malone
Maner

Mitchell	Rattray	Steagall
Moore	Rowe	Turner
Pearson	Rowe	Urquhart
Peete	Rushton	Vann
Pitts (Dallas)	Sanders	Weaver
Pratt	Sanford	Williams
Price	Seale	Woolf
Rainer		

—55.

H. 1013. To provide for the payment out of the county treasury of Shelby county, Alabama, the sum of \$336.91 as salary or compensation and expenses of the State examiner while engaged in making an examination of books and accounts of the various county officers of said county of Shelby as they pertain to the county affairs, and to make said claim a preferred claim against said treasury.

Was read a third time, at length, and passed.

Yeas:

Messrs:—

Speaker	Gunter	Pratt
Alford	Henley	Price
Arnold	Hoffman	Ragsdale
Avery	Hughston	Rainer
Baltzell	Johnson	Rattray
Barton	Jones	Rowe
Benson	Killen	Rushton
Brown	King	Sample
Bulger	Kirby	Sanders
Burney	Kornegay	Sanford
Cannon	Lacy (Walker)	Seale
Cooper	Lawson	Steagall
Crum	Lovelady	Turner
Dudley	Malone	Urquhart
Edwards	Maner	Vann
Foster	Moore	Weaver
Fuller	Pearson	Williams
Glover	Peete	Woolf
Goodwyn		

—55.

H. 1001. To amend section 1 of an act entitled, "An act to establish a new charter for the town of Hartselle in Morgan county," approved February 18th, 1899.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Peete
Arnold	Hoffman	Pratt
Avery	Hughston	Price
Baltzell	Johnson	Rainer
Barton	Jones	Ratray
Benners	Killen	Rowe
Brown	King	Rushton
Bulger	Kirby	Sample
Burney	Kornegay	Sanders
Cannon	Lacy (Walker)	Sanford
Cooper	Lawson	Seale
Crum	Lovelady	Steagall
Dudley	Malone	Tunstall
Edwards	Maner	Turner
Foster	Mitchell	Urquhart
Fuller	Moore	Vann
Glover	Parker	Weaver
Goodwyn	Pearson	Woolf
Gunter		

—55.

Mr. Sample gave notice that on Tuesday he would move to take from the adverse calendar, the bill, H. 332.

BILLS ON THIRD READING.

H. 1259. To amend sections 4, 13, 20, 17, 24, 25, and by adding section 28 1-2 to the provisions of an act entitled "An act to provide for a road law for the county of Marengo, and to enforce the same," approved February 26, 1907.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Price
Arnold	Hoffman	Ragsdale
Avery	Johnson	Rainer
Baltzell	Jones	Rattray
Barton	Killen	Rowe
Benson	King	Rushton
Brown	Kirby	Sample
Bulger	Kornegay	Sanders
Burney	Lacy (Walker)	Sanford
Cannon	Lovelady	Seale
Cooper	Malone	Tunstall
Crum	Maner	Turner
Dudley	Mitchell	Urquhart
Edwards	Moore	Vann
Foster	Parker	Weaver
Fuller	Pearson	White (Lamar)
Glover	Peete	Williams
Goodwyn	Pratt	Woolf
Gunter		

—55.

H. 1269. For the relief of Mrs. Catherine Morrison.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	King
Arnold	Edwards	Kirby
Avery	Foster	Lacy (Walker)
Baltzell	Fuller	Lindsey
Barton	Glover	Lovelady
Benson	Goodwyn	Malone
Brown	Gunter	Maner
Bulger	Henley	Mitchell
Burney	Hoffman	Moore
Cannon	Hughston	Oliver
Coleman (Lowndes)	Johnston	Parker
Cooper	Jones	Pearson
Crum	Killen	Peete

Pratt	Rushton	Turner
Price	Sample	Urquhart
Ragsdale	Sanders	Vann
Rainer	Sanford	Weaver
Rattray	Seale	Woelf
Rowe		

—55.

H. 1270. To require the tax assessor of Montgomery county to make annually a lot book showing in abstract form all legal subdivisions which have been or which may be hereafter made of all property in Montgomery county, and the name of the person, firm, or corporation to whom each lot or subdivision is assessed for the current year; and to provide compensation therefor.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Hoffman	Ragsdale
Alford	Hughston	Rainer
Arnold	Johnson	Rattray
Avery	Jones	Rowe
Baltzell	King	Rushton
Barton	Kirby	Sample
Brown	Lacy (Walker)	Sanders
Bulger	Lee (Houston)	Sanford
Coleman (Lowndes)	Lovelady	Seale
Cooper	Malone	Sherrod
Crum	Maner	Tunstall
Dudley	Mitchell	Turner
Edwards	Moore	Urquhart
Foster	Parker	Vann
Fuller	Pearson	Weaver
Glover	Peete	White (Lamar)
Goodwyn	Pratt	Williams
Gunter	Price	Woelf
Henley		

—55.

H. 929. To alter or rearrange the boundary lines of the city of Birmingham, Alabama.

Was taken up. Mr. King offered the following amendment to the bill:

Amend said bill by striking out the follownig words and figures, where said words and figures occur together, to-wit: "Thence westward along the northern boundary of said right-of-way of the said Birmingham Mineral Railroad Company to the western boundary of the north-east quarter of the south-west quarter of section eighteen, township seventeen, south, range two, west; thence north to the north-west corner of the north-east quarter of said section eighteen, township seventeen, range two, west; thence west to the south-west corner of the south-east quarter of the north-west quarter of section thirteen, township 17, south, range 3, west; thence north to the north-west corner of the south-east quarter of the north-west quarter of said section 13, township 17, south, range 3, west; thence west to the south-east corner of the north-east quarter of the north-east quarter of section 15, township 17, south, range 3, west, to the bounadry line of the town of North Birmingham; thence southward and westward along the western boundary line of said North Birmingham, broken, to the center of Village creek;" and by substituting in lieu thereof, the following words and figures, to-wit: "Thence westwardly along the north boundary of said right-of-way of said Birmingham Mineral Railroad Company to the east corporate line of North Birmingham; thence south along said eastern corporate line of North Birmingham to the center of Village creek; thence west along the center of Village creek to the center of Tennessee road, where said road crosses Village creek; thence southwestwardly along center of Tennessee road to a point in center of Twenty-third avenue in North Birmingham; thence west along Twenty-third street to the county sewer; thence along center of said county sewer to the west boundary line of North Birmingham; thence north along the west boundary line of North Birmingham to center of Village creek.

And the amendment was adopted.

Yeas, 58; nays, 3.

Yeas:

Messrs:—

Speaker	Goodwyn	Peete
Avery	Gunter	Pitts (Dallas)
Ballard (Autauga)	Henley	Pitts (Perry)
Ballard (Pike)	Hoffman	Powell (Bullock)
Baltzell	Johnson	Pratt
Barton	Jones	Ragsdale
Benson	Killen	Rainer
Brown	King	Ratray
Bulger	Kornegay	Rowe
Burney	Lacy (Walker)	Rushton
Cannon	Lee (Houston)	Sample
Carmichael (Clay)	Malone	Sanders
Coleman (Lowndes)	Maner	Smith (Elmore)
Cooper	Mastin	Steagall
Crum	Mitchell	Thompson
Doyle (Clark)	Moore	Vann
Dudley	McCrory	Weaver
Edwards	McDuffie	White (Lamar)
Foster	Pearson	Woolf
Fuller		

—58.

Nays:

Messrs:—

Glover	Lovelady	Urquhart
--------	----------	----------

—3.

Mr. Glover offered the following amendment to the bill:

Amend the bill by adding to section one the following:

“Provided that the territory embraced in the corporate limits of the towns of Elyton, Woodlawn, shall not be included or embraced within the limits or boundaries hereinabove described, but the same are hereby expressly excepted from the operation of the act.”

On motion of Mr. King, the amendment offered by Mr. Glover was laid upon the table.

And the bill:

H. 929. To alter or rearrange the boundary lines of the city of Birmingham, Alabama.

As amended, was read a third time, at length, and passed.

Yeas, 40; nays, 14.

Yeas:

Messrs:—

Speaker	Foster	Pitts (Dallas)
Avery	Fuller	Pitts (Perry)
Ballard (Autauga)	Goodwyn	Powell (Bullock)
Baltzell	Gunter	Pratt
Barton	Henley	Rattray
Brown	Jones	Rowe
Bulger	Killen	Rushton
Burney	King	Sample
Carmichael (Clay)	Kirby	Sanders
Coleman (Lowndes)	Lee (Houston)	Seale
Cooper	Maner	Smith (Elmore)
Dudley	Mitchell	Smith (Franklin)
Edwards	Moore	Steagall
		Thompson

—40.

Nays:

Messrs:—

Benson	Hoffman	Pearson
Cannon	Johnson	Peete
Crum	Kornegay	Urquhart
Glover	Lacy (Walker)	Weaver
	Lovelady	Woolf

—14.

EXCUSED FROM VOTING.

Mr. Ragsdale asked that he be excused from voting. Consent was granted.

BILLS ON THIRD READING.

H. 984. To fix the salary of the associate judge of the city court of Montgomery.

Was taken up. Mr. Gunter offered the following substitute for the bill, said substitute being accom-

panied with notice and proof, as herewith exhibited as follows:

Amend the title and the bill by substituting therefor the following:

A BILL

To be entitled an act to fix the salary of the judge and the associate judge of the city court of Montgomery. Be it enacted by the Legislature of Alabama:

Section 1. That from and after the passage of this act the salary of the judge and the associate judge of the city court of Montgomery shall be four thousand dollars per annum for each, payable as now provided by law in monthly installments.

Section 2. That the amount of such saalry in excess of the amount payable out of the treasury of the State shall be paid out of the treasury of Montgomery county in monthly installments by warrant drawn by the board of revneue of Montgomery county on the treasurer of said county.

The State of Alabama, }
Montgomery County. }

Before me, Henry N. Hughes, clerk of the city court of Montgomery, personally appeared J. B. Stern, who is known to me, and who, being by me first duly sworn, upon oath deposes and says that he is the editor and proprietor of the Montgomery Times, a daily newspaper published in the county and city of Montgomery, and State of Alabama, and that a notice in words and figures as follows, to-wit:

NOTICE.

A bill will be introduced at the present session of the Legislature fixing the salary of the judge and associate judge of the city court of Montgomery at \$4,000 per annum, payable in monthly installments.

Was published once a week for four consecutive weeks in said newspaper, beginning on the 20th day of February, 1907.

J. B. Stern.

Sworn to and subscribed before me this the 19th day of July, A. D., 1907.

H. N. Hughes,

Clerk of the City Court of Montgomery.

And the substitute was adopted.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Price
Alford	Hoffman	Kingsdale
Arnold	Hughston	Rainor
Avery	Johnson	Rattray
Baltzell	Jones	Rowe
Barton	King	Rushton
Brown	Kirby	Sample
Bulger	Lacy (Walker)	Sanders
Coleman (Lowndes)	Lee (Houston)	Sanford
Cooper	Lovelady	Seale
Crum	Malone	Sherrod
Dudley	Maner	Tunstall
Edwards	Mitchell	Turner
Foster	Moore	Urquhart
Fuller	Parker	Vann
Glover	Pearson	Weaver
Goodwyn	Peete	White (Lamar)
Gunter	Pratt	Williams
		Woolf

—55.

And the bill:

H. 984. To fix the salary of the associate judge of the city court of Montgomery.

As amended by the substitute, was read a third time. at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Barton	Crum
Alford	Brown	Dudley
Arnold	Bulger	Edwards
Avery	Coleman (Lowndes)	Foster
Baltzell	Cooper	Fuller

Glover	Maner	Sample
Goodwyn	Mitchell	Sanders
Gunter	Moore	Sanford
Henley	Parker	Seale
Hoffman	Pearson	Sherrod
Hughston	Peete	Tunstall
Johnson	Pratt	Turner
Jones	Price	Urquhart
King	Ragsdale	Vann
Kirby	Rainer	Weaver
Lacy (Walker)	Rattray	White (Lamar)
Lee (Houston)	Rowe	Williams
Lovelady	Rushton	Woolf
Malone		

—55.

H. 1081. To authorize and empower the commissioners' court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across the Tallapoosa river, at Tallassee, Alabama, for the use of said bridge by passengers and for vehicles, and for traffic and for whatsoever may pass over the same, and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Coleman (Lowndes)	Johnson
Alford	Cooper	Jones
Arnold	Crum	Killen
Avery	Dudley	King
Baltzell	Edwards	Kirby
Barton	Foster	Kornegay
Benson	Fuller	Lacy (Walker)
Brown	Glover	Lovelady
Bulger	Goodwyn	Malone
Burney	Gunter	Maner
Cannon	Henley	Mitchell
Carmichael (Clay)	Hoffman	Moore

Pearson	Rowe	Smith (Franklin)
Peete	Rushton	Tunstall
Pratt	Sample	Turner
Price	Sanders	Urquhart
Ragsdale	Sanford	Vann
Rainer	Seale	Woolf
Rattray		

—55.

H. 1291. For the relief of W. C. Evans, a confederate pensioner of Pickens county, Alabama.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Pearson
Alford	Glover	Peete
Arnold	Goodwyn	Power
Avery	Gunter	Pratt
Baltzell	Henley	Price
Barton	Hoffman	Ragsdale
Benners	Johnson	Rainer
Brown	Jones	Rattray
Bulger	Killen	Rowe
Burney	King	Rushton
Cannon	Kirby	Sample
Carmichael (Clay)	Kornegay	Sanders
Coleman (Lowndes)	Lacy (Walker)	Sanford
Cooper	Lovelady	Seale
Crum	Malone	Steagall
Dudley	Maner	Tunstall
Edwards	Mitchell	Turner
Foster	Moore	Vann
		Woolf

—55.

H. 1267. To provide for the payment by the court of county commissioners of Bullock county, Alabama, out of the county treasury for removal fees, mileage and per

diem for the removal of persons charged with misdemeanor.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Peete
Alford	Glover	Power
Arnold	Goodwyn	Pratt
Avery	Gunter	Price
Baltzell	Henley	Ragsdale
Barton	Hoffman	Rainer
Benson	Johnson	Rattray
Brown	Jones	Rowe
Bulger	Killen	Rushton
Burney	King	Sample
Cannon	Kirby	Sanders
Carmichael (Clay)	Kornegay	Sanford
Coleman (Lowndes)	Lacy (Walker)	Seale
Cooper	Lovelady	Sherrod
Crum	Malone	Steagall
Dudley	Maner	Tunstall
Edwards	Mitchell	Turner
Foster	Moore	Vann
	Pearson	Woolf

—55.

H. 1268. To allow the sheriff of Bullock county, Alabama, for fees for attendance upon the trial of any habeas corpus case before any judge or court, and to authorize the commissioners' court of said county to pay the same out of the general fund of the county treasury.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Benson	Coleman (Lowndes)
Alford	Brown	Cooper
Arnold	Bulger	Crum
Avery	Burney	Dudley
Baltzell	Cannon	Edwards
Barton	Carmichael (Clay)	Foster

Fuller	Lovelady	Rowe
Glover	Malone	Rushton
Goodwyn	Maner	Sample
Gunter	Mitchell	Sanders
Henley	Moore	Sanford
Hoffman	Pearson	Seale
Johnson	Peete	Sherrod
Jones	Power	Steagall
Killen	Pratt	Tunstall
King	Price	Turner
Kirby	Ragsdale	Vann
Kornegay	Rainer	Woolf
Lindsey	Ratray	

—55.

H. 1308. To amend sections 1, 2, 6, 7, 9, 10, 11, 15, 24, 25 and 38 of an act entitled an act to amend an act entitled an act to better provide for establishing, working and maintaining the public roads and bridges in Walker county, Alabama, approved March 6th, 1903.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	Lovelady
Alford	Edwards	Malone
Arnold	Foster	Maner
Avery	Fuller	Mitchell
Baltzell	Glover	Moore
Barton	Goodwyn	Pearson
Benson	Gunter	Peete
Bloch	Henley	Power
Brown	Hoffman	Pratt
Bulger	Johnson	Price
Burney	Jones	Ragsdale
Cannon	Killen	Rainer
Carmichael (Clay)	Kirby	Ratray
Coleman (Lowndes)	King	Rowe
Cooper	Kornegay	Rushton
Crum	Lacy (Walker)	Sample

Sanders	Sherrod	Turner
Sanford	Steagall	Vann
Seale	Tunstall	Woolf

—55.

H. 1295. To fix the compensation to be allowed the sheriff of Butler county, Alabama, for services rendered by the sheriff of Butler county, Alabama, in the county court of Butler county, and to provide for the payment of said compensation.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Peete
Alford	Glover	Power
Arnold	Goodwyn	Pratt
Avery	Gunter	Price
Baltzell	Henley	Ragsdale
Barton	Hoffman	Rainer
Benson	Johnson	Rattray
Bloch	Jones	Rowe
Brown	Killen	Rushton
Bulger	King	Sample
Burney	Kirby	Sanders
Cannon	Kornegay	Sanford
Carmichael (Clay)	Lacy (Walker)	Seale
Carmichael (Clay)	Lovelady	Sherrod
Cooper	Malone	Steagall
Crum	Maner	Tunstall
Dudley	Mitchell	Turner
Edwards	Moore	Vann
Foster	Pearson	Woolf

—55.

H. 1296. To authorize and empower the court of county commissioners of Butler county to employ a janitor for Butler county, who shall be under the control and direction of the sheriff of Butler county, to prescribe his duties and to provide for the payment of such janitor.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Power
Alford	Goodwyn	Pratt
Arnold	Gunter	Price
Avery	Henley	Ragsdale
Baltzell	Hoffman	Rainer
Barton	Johnson	Rattray
Benson	Jones	Rowe
Brown	Killen	Rushton
Bulger	King	Sample
Burney	Kirby	Sanders
Cannon	Kornegay	Sanford
Carmichael (Clay)	Lacy (Walker)	Seale
Coleman (Lowndes)	Lovelady	Sherrod
Cooper	Malone	Steagall
Crum	Maner	Thompson
Dudley	Mitchell	Tunstall
Edwards	Moore	Turner
Foster	Pearson	Vann
Fuller	Peete	Woolf

—55.

H. 1292. To require the court of county commissioners of Baldwin county to let to the lowest bidder, after due notice by publication, the road and bridge contracts in Baldwin county, provided, said bidder gives bond for the faithful performance of contract.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Crum
Alford	Bulger	Dudley
Arnold	Burney	Edwards
Avery	Cannon	Foster
Baltzell	Carmichael (Clay)	Fuller
Barton	Coleman (Lowndes)	Glover
Benson	Cooper	Goodwyn

Gunter	Maner	Rushton
Henley	Mitchell	Sample
Hoffman	Moore	Sanders
Johnson	Pearson	Sanford
Jones	Peete	Seale
Killen	Power	Sherrod
King	Pratt	Steagall
Kirby	Price	Thompson
Kornegay	Ragsdale	Tunstall
Lacy (Walker)	Rainer	Turner
Lovelady	Ratray	Vann
Malone	Rowe	Woolf

—55.

S. 385. To authorize the county of Limestone to construct public roads and to provide the method and manner of their construction and building.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Power
Alford	Goodwyn	Pratt
Arnold	Gunter	Price
Avery	Henley	Ragsdale
Baltzell	Hoffman	Rainer
Barton	Johnson	Ratray
Benson	Jones	Rowe
Brown	Killen	Rushton
Bulger	King	Sample
Burney	Kirby	Sanders
Cannon	Kornegay	Sanford
Carmichael (Clay)	Lacy (Walker)	Seale
Coleman (Lowndes)	Lovelady	Sherrod
Cooper	Malone	Steagall
Crum	Maner	Thompson
Dudley	Mitchell	Tunstall
Edwards	Moore	Turner
Foster	Pearson	Vann
Fuller	Peete	Woolf

—55.

H. 1297. To fix the compensation to be allowed the sheriff of Butler county, Alabama, for empaneling grand juries, advertising and attending elections in Butler county, and for all other public services and official duties for the compensation of which no express provision of law is made.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Peete
Alford	Goodwyn	Power
Arnold	Gunter	Pratt
Avery	Henley	Price
Baltzell	Hoffman	Ragsdale
Barton	Johnston	Rainer
Benson	Jones	Rattray
Brown	Killen	Rowe
Bulger	King	Rushton
Burney	Kirby	Sample
Cannon	Kornegay	Sanders
Carmichael (Clay)	Lacy (Walker)	Sanford
Coleman (Lowndes)	Lovelady	Seale
Cooper	Lyons	Sherrod
Crum	Malone	Steagall
Dudley	Maner	Thompson
Edwards	Mitchell	Tunstall
Foster	Moore	Turner
Fuller	Pearson	Vann
		Woolf

—55.

H. 1298. To authorize and empower the court of county commissioners of Butler county to contract for and place in the office of the various officers of said county, telephones, writing machines and other mechanical devices as in the opinion of the said court of county commissioners is necessary or expedient and to con-

tract for and place in the jail and poor houses of said county such telephones as may be necessary.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Power
Alford	Goodwyn	Pratt
Arnold	Gunter	Price
Avery	Henley	Ragsdale
Baltzell	Hoffman	Rainer
Barton	Johnson	Rattray
Benson	Jones	Rowe
Brown	Killen	Rushton
Bulger	King	Sample
Burney	Kirby	Sanders
Cannon	Kornegay	Sanford
Carmichael (Clay)	Lacy (Walker)	Seale
Coleman (Lowndes)	Lovelady	Sherrod
Cooper	Malone	Steagall
Crum	Maner	Thompson
Dudley	Mitchell	Tunstall
Edwards	Moore	Turner
Foster	Pearson	Vann
Fuller	Peete	Woolf

—55.

H. 1299. To fix the compensation to be allowed the circuit clerk of Butler county, Alabama, for all official duties not otherwise provided for.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Crum
Alford	Bulger	Dudley
Arnold	Burney	Edwards
Avery	Cannon	Foster
Baltzell	Carmichael (Clay)	Fuller
Barton	Coleman (Lowndes)	Glover
Benson	Cooper	Goodwyn

Gunter	Maner	Rushton
Henley	Mitchell	Sample
Hoffman	Moore	Sanders
Johnson	Pearson	Sanford
Jones	Peete	Seale
Killen	Power	Sherrod
King	Pratt	Steagall
Kirby	Price	Thompson
Kornegay	Ragsdale	Tunstall
Lacy (Walker)	Rainer	Turner
Lovelady	Rattray	Vann
Malone	Rowe	Woolf

—55.

H. 1256. For the improvement of the public roads of Lowndes county.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Power
Alford	Goodwyn	Pratt
Arnold	Gunter	Price
Avery	Henley	Ragsdale
Baltzell	Hoffman	Rainer
Barton	Johnson	Rattray
Benson	Jones	Rowe
Brown	Killen	Rushton
Bulger	King	Sample
Burney	Kirby	Sanders
Cannon	Kornegay	Sanford
Carmichael (Clay)	Lacy (Walker)	Seale
Coleman (Lowndes)	Lovelady	Sherrod
Cooper	Malone	Steagall
Crum	Maner	Thompson
Dudley	Mitchell	Tunstall
Edwards	Moore	Turner
Foster	Pearson	Vann
Fuller	Peete	Woolf

—55.

H. 1244. To relieve and exempt the Alabama State Fair and Exhibit Association and all persons, firms or corporations who conduct business with said association on its fair grounds in Jefferson county, during the annual fairs of said association from the payments of all State, county and municipal taxes and licenses.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Power
Alford	Goodwyn	Pratt
Arnold	Gunter	Price
Avery	Henley	Ragsdale
Baltzell	Hoffman	Rainer
Barton	Johnson	Rattray
Benson	Jones	Rowe
Brown	Killen	Rushton
Bulger	King	Sample
Burney	Kirby	Sanders
Cannon	Kornegay	Sanford
Carmichael (Clay)	Lacy (Walker)	Seale
Coleman (Lowndes)	Lovelady	Sherrod
Cooper	Malone	Steagall
Crum	Maner	Thompson
Dudley	Mitchell	Tunstall
Edwards	Moore	Turner
Foster	Pearson	Urquhart
Fuller	Peete	Woolf

—55.

H. 1126. To amend Sec. 28 of an act entitled "An act to establish the city court of Bessemer," approved February 28th, 1901.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Avery	Benson
Alford	Baltzell	Brown
Arnold	Barton	Bulger

Burney	Jones	Ragsdale
Cannon	Killen	Rainer
Carmichael (Clay)	King	Rattray
Coleman (Lowndes)	Kirby	Rowe
Cooper	Kornegay	Rushton
Crum	Lacy (Walker)	Sample
Dudley	Lovelady	Sanders
Edwards	Malone	Sanford
Foster	Maner	Seale
Fuller	Mitchell	Sherrod
Glover	Moore	Steagall
Goodwyn	Pearson	Thompson
Gunter	Peete	Tunstall
Henley	Power	Turner
Hoffman	Pratt	Vann
Johnson	Price	Woolf

—55.

S. 482. To regulate the practice in the circuit court of Walker county, Alabama, to provide rules of practice for said court; and to provide for drawing juries for said court.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	Kornegay
Alford	Edwards	Lacy (Walker)
Arnold	Foster	Lovelady
Avery	Fuller	Malone
Baltzell	Glover	Maner
Barton	Goodwyn	Mitchell
Benson	Gunter	Moore
Brown	Henley	Pearson
Bulger	Hoffman	Peete
Burney	Johnson	Power
Cannon	Jones	Pratt
Carmichael (Clay)	Killen	Price
Coleman (Lowndes)	King	Ragsdale
Cooper	Kirby	Rainer
Crum		

Rattray	Sanford	Tunstall
Rowe	Seale	Turner
Rushton	Sherrod	Vann
Sample	Steagall	Woolf
Sanders	Thompson	

—55.

H. 1255. To require each and every person who peddle, or who travel and sell at retail medicine of any kind, dry goods, notions, bibles or books, secular or religious, in Lowndes county, Alabama, to pay a license tax of seven hundred and fifty dollars, and to provide a penalty for a violation thereof.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Yeas:

Messrs:—

Speaker	Glover	Peete
Alford	Goodwyn	Power
Arnold	Gunter	Pratt
Avery	Haley	Price
Baltzell	Henley	Ragsdale
Barton	Hoffman	Rainer
Benson	Johnson	Rattray
Brown	Jones	Rowe
Bulger	Killen	Rushton
Burney	King	Sample
Cannon	Kirby	Sanders
Carmichael (Clay)	Lacy (Walker)	Seale
Coleman (Lowndes)	Lovelady	Sherrod
Cooper	Malone	Steagall
Crum	Maner	Tunstall
Dudley	Mitchell	Turner
Edwards	Moore	Urquhart
Foster	Pearson	Woolf
Fuller		

—55.

S. 375. To repeal an act entitled "an act to incorporate the town of Hayneville.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Pratt
Alford	Gunter	Price
Arnold	Henley	Ragsdale
Avery	Hoffman	Rainer
Baltzell	Johnson	Rattray
Barton	Jones	Rowe
Benson	Killen	Rushton
Brown	King	Sample
Bulger	Kirby	Sanders
Burney	Kornegay	Sanford
Cannon	Lacy (Walker)	Seale
Coleman (Lowndes)	Lovelady	Sherrod
Cooper	Malone	Steagall
Crum	Mitchell	Thompson
Dudley	Moore	Tunstall
Edwards	Pearson	Turner
Foster	Peete	Vann
Fuller	Power	Woolf
Glover		

—55.

H. 999. To appeal an act entitled "An act to authorize and empower the Decatur Land Company, a corporation, to list certain of its lands to the tax assessor of Morgan county in acreage," approved December 13th, 1900.

Was taken up. Mr. Sample offered the following amendment to the bill:

Amend by striking out the word "appeal" and insert in lieu thereof the word "repeal" in 1st line of title.

And the amendment was adopted.

Yeas, 55; nays, 0.

Yeas:**Messrs:—**

Speaker	Glover	Peete
Alford	Goodwyn	Power
Arnold	Gunter	Pratt
Avery	Henley	Price
Baltzell	Hoffman	Ragsdale
Barton	Johnson	Rainer
Benson	Jones	Rattray
Brown	Killen	Rowe
Bulger	King	Rushton
Burney	Kirby	Sample
Cannon	Kornegay	Sanders
Carmichael (Clay)	Lacy (Walker)	Sanford
Coleman (Lowndes)	Lovelady	Seale
Cooper	Malone	Sherrod
Crum	Maner	Thompson
Dudley	Mitchell	Turner
Edwards	Moore	Vann
Foster	Pearson	Woolf
Fuller		

—55.

And the bill:

H. 999. To appeal an act entitled, "An act to authorize and empower the Decatur Land Company, a corporation, to list certain of its lands to the tax assessor of Morgan county in acreage," approved December 13th, 1900.

As amended, was read a third time, at length and passed.

Yeas, 55; nays, 0.

Yeas:**Messrs:—**

Speaker	Bulger	Edwards
Alford	Burney	Foster
Arnold	Cannon	Fuller
Avery	Carmichael (Clay)	Glover
Baltzell	Coleman (Lowndes)	Goodwyn
Barton	Cooper	Gunter
Benson	Crum	Haley
Brown	Dudley	

Hoffman	Mitchell	Rushton
Johnson	Moore	Sample
Jones	Peete	Sanders
King	Power	Seale
Kirby	Pratt	Steagall
Kornegay	Price	Tunstall
Lacy (Walker)	Ragsdale	Turner
Lovelady	Rainer	Vann
Malone	Ratray	Woolf
Maner	Rowe	

—55.

H. 1002. To amend Sec. 4 of an act entitled, "An act to incorporate the town of Somerville in Morgan county, Alabama," approved February 3rd, 1872.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Peete
Alford	Goodwyn	Power
Arnold	Gunter	Pratt
Avery	Henley	Price
Baltzell	Hoffman	Ragsdale
Barton	Johnson	Rainer
Benson	Jones	Ratray
Brown	Killen	Rowe
Bulger	King	Rushton
Cannon	Kirby	Sample
Carmichael (Clay)	Kornegay	Sanders
Coleman (Lowndes)	Lacy (Walker)	Sanford
Cooper	Lovelady	Seale
Crum	Malone	Steagall
Dudley	Maner	Thompson
Edwards	Mitchell	Tunstall
Foster	Moore	Turner
Fuller	Pearson	Vann
		Woolf

—55.

H. 1179. To provide for the celebration of the one-hundredth anniversary of the battle of Tohopeka or Horse-shoe Bend, in 1814.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Pratt
Alford	Goodwyn	Price
Arnold	Gunter	Ragsdale
Avery	Henley	Rainer
Baltzell	Hoffman	Kattray
Barton	Jones	Rowe
Benson	Killen	Rushton
Brown	King	Sample
Bulger	Kirby	Sanders
Burney	Kornegay	Seale
Cannon	Lancaster	Sherrod
Carmichael (Clay)	Lovelady	Steagall
Coleman (Lowndes)	Malone	Thompson
Cooper	Maner	Tunstall
Crum	Mitchell	Turner
Dudley	Moore	Vann
Edwards	Peete	Williams
Foster	Power	Woolf
Fuller		

—55.

H. 968. To amend section one of an act, approved December 7th, 1896, entitled an act to amend section 1, of an act entitled an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river and the tributaries of those streams in Mobile county, approved February 18th, 1895.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Avery	Benson
Alford	Baltzell	Brown
Arnold	Barton	Bulger

Burney	Jones	Rainer
Cannon	King	Rattray
Carmichael (Clay)	Kirby	Rowe
Coleman (Lowndes)	Lacy (Walker)	Rushton
Cooper	Lovelady	Sample
Crum	Malone	Sanders
Dudley	Maner	Sanford
Edwards	Mitchell	Seale
Foster	Moore	Steagall
Fuller	Parker	Thompson
Glover	Pearson	Tunstall
Goodwyn	Peete	Turner
Gunter	Power	Vann
Henley	Pratt	Woolf
Johnson	Ragsdale	

—55.

H. 1272. To provide for the transfer of civil causes pending in the circuit court of Morgan county, Alabama, to the Morgan county law and equity court, and to provide for the trials of said causes so transferred.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	Malone
Alford	Edwards	Maner
Arnold	Foster	Mastin
Avery	Fuller	Middleton
Baltzell	Glover	Mitchell
Barton	Goodwyn	Moore
Benson	Gunter	Norville
Brown	Henley	Power
Bulger	Hoffman	Pratt
Burney	Johnson	Price
Cannon	Jones	Ragsdale
Carmichael (Clay)	Killen	Rainer
Coleman (Lowndes)	King	Rattray
Cooper	Kirby	Rowe
Crum	Lovelady	Rushton

Sample	Steagall	Vann
Sanders	Thompson	Urquhart
Sanford	Tunstall	Woolf
Seale	Turner	

—55.

H. 1274. To authorize and empower the county treasurer of Morgan county, Alabama, to pay all jurors, grand and petit, and all bailiffs, janitors and other proper officers of the Morgan county law and equity court of Morgan county, Ala., except the salary of the judge of said court, and to pay for the supplies, records, furniture, stationery and fixtures for said court, and to provide for his compensation therefor.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Power
Alford	Glover	Pratt
Arnold	Goodwyn	Price
Avery	Gunter	Ragsdale
Baltzell	Henley	Rainer
Barton	Hoffman	Rattray
Benson	Johnson	Rushton
Brown	Jones	Sample
Bulger	Kirby	Sanders
Burney	Kornegay	Sanford
Cannon	Lacy (Walker)	Seale
Carmichael (Clay)	Lovelady	Steagall
Coleman (Lowndes)	Malone	Thompson
Cooper	Maner	Tunstall
Crum	Mitchell	Turner
Dudley	Moore	Vann
Edwards	Pearson	Weaver
Foster	Peete	Williams
		Woolf

—55.

S. 439. To appropriate the sum of thirty (\$30.00) dollars for the relief of C. R. Gibson as a confederate

pensioner for the year 1906, his name having been erroneously omitted from the pension roll as being dead, and to reinstate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved Feby. 10, 1899.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Pearson
Alford	Glover	Peete
Arnold	Goodwyn	Pratt
Avery	Gunter	Price
Ballard (Pike)	Henley	Ragsdale
Baltzell	Hoffman	Rainer
Barton	Johnson	Rattray
Benson	Jones	Rowe
Brown	Killen	Rushton
Bulger	King	Sample
Burney	Kirby	Sanders
Cannon	Ko:negay	Sanford
Carmichael (Clay)	Lacy (Walker)	Seale
Coleman (Lowndes)	Lovelady	Tunstall
Crum	Malone	Turner
Dudley	Maner	Vann
Edwards	Mitchell	Weaver
Foster	Moore	Williams
		Woolf

—55.

S. 440. To appropriate the sum of thirty (\$30.00) dollars, for the relief of I. Moody, as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll, and to reinstate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved Feby. 10, 1899.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:**Messrs:—**

Speaker	Glover	Peete
Alford	Goodwyn	Pratt
Arnold	Gunter	Price
Avery	Henley	Ragsdale
Ballard (Pike)	Hoffman	Rainer
Baltzell	Johnson	Rattray
Barton	Jones	Rowe
Benners	King	Rushton
Brown	Kirby	Sample
Bulger	Lacy (Walker)	Sanders
Burney	Lovelady	Sanford
Cannon	Malone	Seale
Cooper	Maner	Tunstall
Crum	Mitchell	Turner
Dudley	Moore	Urquhart
Edwards	Oliver	Vann
Foster	Parker	Weaver
Fuller	Pearson	Williams
		Woelf

—55.

H. 874. To provide for and regulate the compensation to be paid teachers in the public schools of Walker county, Alabama.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:**Messrs:—**

Speaker	Cooper	Johnson
Arnold	Crum	Jones
Avery	Dudley	Killen
Ballard (Pike)	Edwards	King
Baltzell	Foster	Kirby
Barton	Fuller	Lacy (Walker)
Benson	Glover	Lawson
Brown	Goodwyn	Lovelady
Bulger	Gunter	Malone
Burney	Henley	Maner
Cannon	Hoffman	Mitchell

Moore	Rattray	Thompson
Pearson	Rushton	Tunstall
Peete	Sample	Turner
Power	Sanders	Vann
Pratt	Sanford	Weaver
Price	Seale	Williams
Ragsdale	Steagall	Woolf
Rainer		

—55.

H. 235. To regulate hunting upon, or shooting in or across the enclosed field, pasture, or other enclosure owned or in possession of another in Walker county, Alabama.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Messrs:—

Speaker	Goodwyn	Parker
Arnold	Gunter	Pearson
Avery	Henley	Peete
Ballard (Pike)	Hoffman	Pratt
Baltzell	Johnson	Price
Barton	Jones	Ragsdale
Benson	Killen	Rainer
Brown	King	Rattray
Bulger	Kirby	Rowe
Burney	Lacy (Walker)	Sample
Cannon	Lawson	Sanders
Cooper	Lovelady	Sanford
Crum	Malone	Seale
Dudley	Maner	Tunstall
Edwards	Mitchell	Turner
Foster	Moore	Urquhart
Fuller	Norville	Vann
Glover	Oliver	Williams
		Woolf

—55.

ADJOURNMENT.

On motion of Mr. Pitts, of Dallas, the House adjourned until 8:30 o'clock Tuesday.

FORTY-THIRD DAY.

House of Representatives,
Tuesday, July 23, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Avery, of the House.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Edwards	Lovelady
Alford	Elrod	Lyons
Aitman	Foster	Malone
Armstrong	Fuller	Maner
Arnold	Glover	Mastin
Arrington	Goodwyn	Middleton
Avery	Gunter	Mitchell
Ballard (Autauga)	Haley	Moore
Ballard (Pike)	Henley	McCrary
Baltzell	Hughston	McMillan
Barton	Jenkins	Norville
Benners	John	Oliver
Benson	Johnson	Parker
Bloch	Jones	Pearson
Bulger	Killen	Peete
Burney	King	Pitts (Dallas)
Cannon	Kirby	Pitts (Perry)
Carmichael (Clay)	Kornegay	Powell (Bullock)
Coleman (Lowndes)	Lacy (Walker)	Powell (Covington)
Coleman (Marshall)	Lancaster	Power
Cooper	Lawson	Pratt
Cranford	Lee (Barbour)	Price
Crum	Lee (Etowah)	Ragsdale
Doyle (Clark)	Lee (Houston)	Ralner
Doyle (Marengo)	Long (Butler)	Rattray
Dudley	Long (Morgan)	Rowe

Rushton	Smith (Etowah)	Urquhart
Sample	Smith (Franklin)	Vann
Sanders	Smith (Lee)	Weaver
Sanford	Steagall	White (Lamar)
Seale	Thompson	Williams
Sherrod	Tunstall	Woolf
Smith (Elmore)	Turner	

—99.

A quorum was present.

JOURNAL.

The acting chairman of the standing committee on Revision of the Journal made the following report:

Mr. Speaker:

Your committee on the Revision of the Journal beg leave to report as follows:

We have examined the journal for the Forty-second day and find the same to be correct.

R. C. Smith,
Acting Chairman.

The report of the committee was concurred in and the journal of the 42nd day was approved.

LEAVE OF ABSENCE

Was granted to Mr. McDuffie for today.

PRIVILEGES OF THE FLOOR

Were extended to Mr. T. W. Ballard, of Pike, county, for today.

BILLS ON THIRD READING.

Mr. Long, of Butler, chairman of the standing committee on Commerce and Common Carriers, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1294. To make it unlawful for any common carrier, person, firm or corporation in this State to operate or permit to be operated upon lines of railway of more than fifty miles in length in this State, any road locomotive engine propelled by steam power, which is not equipped with an electric headlight, to define a "road locomotive engine" and to prescribe the punishment for a violation of this act.

H. 1332. To further define the powers and duties of the railroad commission of Alabama and to provide for its mode of procedure and prescribe penalties for violations of its orders.

H. 1342. To amend sections 14 and 16 of an act entitled "An act to prescribe rules and regulations relating to demurrage and car service and the charges therefor and the respective rights, duties, obligations, liabilities and remedies of common carriers by rail and shippers and consignees with respect to the furnishing of empty cars and the transportation and delivery of freight and delay of shippers and consignees in the loading and unloading of cars and the receiving of freight, and charges for such delay," approved February 28, 1907.

H. 1343. To authorize the railroad commission of Alabama to modify or change any rule or regulation prescribed by statute relating to demurrage or car service and charges therefor and the respective rights, duties and obligations of common carriers by rail and shippers and consignees with respect to furnishing empty cars and the transportation and delivery of freight and delay in the loading and unloading of cars and receiving of freight and charges therefor.

S. 520. To amend an act entitled, "An act, to create a railroad commission to be known as the "Railroad Commission of Alabama," define its duties and powers and provide for its mode of procedure and prescribe penalties for violation of its orders," approved the 23rd day of February, 1907.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session

had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1333. Providing for the distribution of any surplus in the State treasury at the close of any fiscal year to the several counties in the State to be used as a supplement to the public road funds.

H. 1350. To reimburse the governor's contingent fund the amount expended therefrom in paying the funeral expenses of the late William L. Martin, who at the time of his death was Speaker of the House of Representatives, and to make an appropriation therefor.

H. 1356. For the relief of John Milford, an ex-confederate soldier, being a resident of Chilton county, Alabama.

Mr. Jenkins, chairman of the standing committee on County and County Boundaries, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1262. To require county officers and courts of county commissioners to have printed and purchase stationery and other material for the use of a county office from a person residing and doing business in the county of the residence of such officer, if such purchase can be made at a price not exceeding that at which it can be made without the county, material and workmanship being equal, and to provide that payment therefor shall not be made when not purchased as required in this act.

H. 1288. To authorize the court of county commissioners, board of revenue, or other courts of like jurisdiction of Walker county, to contract for supplying the court rooms and the offices of the county officers with water, gas, electric lights, heat, telephones and such other conveniences as such court may deem necessary or advisable, and to keep the said rooms and offices in good condition and order and to provide for the payment of same.

S. 397. To fix the boundary line between the counties of Randolph and Cleburne and to define the same.

S. 411. To divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district.

Mr. Smith, of Elmore, chairman of the standing committee on Public Roads and Highways, reported that said committee in session had acted on the following bill and ordered same returned to the House without recommendation:

H. 1174. (Without recommendation.) To prohibit the running of automobiles or other like devices on the public roads of the State of Alabama.

Mr. Smith, of Elmore, chairman of the standing committee on Public Roads and Highways, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 392. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads, and the necessary bridges, culverts and drainways therefor, and to issue bonds of said county to aid in the construction and building thereof.

S. 393. To authorize an election in the county of Talladega, to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

S. 420. To further regulate the working of the public roads of Bibb county, Alabama.

S. 479. To provide for the more efficient working of the public roads in Mobile county and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners Mobile county; to prescribe the duties and fix the authority of said board; and provide for the levy and collection of a road tax and the method of disbursing moneys necessary to carry out the provisions of this act, and provide penalties for violations of its provisions.

Mr. Smith, of Elmore, chairman of the standing committee on Public Roads and Highways, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1278. To amend sections 7 and 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the counties of this State, approved October 10th, 1903.

Mr. Pitts, of Dallas, chairman of the standing committee on Revision of Laws, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 448. To repeal an act entitled an act "To define who are delinquent children and to provide for their arrest and care and reformation, approved March 12, 1907," in so far as it applies to Dallas county.

S. 450. To refund to Selma mortgage tax paid by it on the deed of trust made by it to Chicago Title & Trust Co. to secure the Selma water works bonds.

S. 458. To create the office of court stenographer for Dallas county; to provide for his appointment and compensation; to prescribe his powers and duties, and to provide for the taxing and collection and disposal of stenographer's fees in the courts of record of Dallas county.

S. 523. To create and establish a commission to be known as "Selma Water Works Commission;" to prescribe their qualifications, mode of election, duties, powers and compensation, terms of office, and to fix a maximum rate to be charged for water in Selma, Alabama.

Mr. Maner, chairman of the standing committee on Corporations, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1339. To exempt from taxation all property of any person, firm or corporation who has heretofore patent-

ed and owns exclusively, or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property, and which has not heretofore been manufactured for sale except such property as is devoted exclusively to the manufacture of such article, and to exempt from taxation the stock held by stockholders of such corporation.

H. 1357. To provide for incorporating State organizations, associations or bodies of secret societies, organizations or orders and for the protection of the corporate names thereof.

Mr. John, acting chairman of the standing committee on Rules, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1359. To provide for the refurnishing and in keeping in repair the State capitol and the several offices therein, and to provide for the improvement and keeping in order the State capitol grounds.

Mr. Woolf, chairman of the standing committee on Ways and Means, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report with a substitute:

H. 1349. (With substitute.) Authorizing recovery and refund of money erroneously paid for taxes, whether under compulsion or protest or not; providing as to evidence of such payment; that the adverse termination heretofore of petition or suit for such refund or recovery shall not be res adjudicata in certain cases and that this act shall apply to petitions and suits for such refund or recovery heretofore filed.

Mr. Woolf, chairman of the standing committee on Ways and Means, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 497. To provide that no license tax of any character shall be required by State, county or municipality from the Tennessee Valley Fair Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

Mr. Ballard, of Autauga, chairman of the standing committee on Temperance, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1337. To require the sheriff of Lawrence county to procure from the office of the United States Internal Revenue Collector for the State of Alabama, a list of persons, firms or corporations in Lawrence county to whom license have been issued for the sale of spirituous, vinous or malt liquors, and to publish the same in some newspaper published in said county.

H. 1341. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials, or other intoxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church or Ivey Creek public school house, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

H. 1362. To establish a dispensary in and for the town of "Floral" in the county of Covington, State of Alabama, and to provide for the conduct and regulation of same.

S. 441. To amend section one of an act, "To prohibit, regulate and restrict the sale or other disposition of intoxicating liquors, drinks or beverages within the State of Alabama by providing for elections in the various counties of the State to determine whether the sale or other disposition of such intoxicating liquors, drinks or beverages shall be so prohibited, regulated and restricted.

Mr. Ballard, of Autauga, chairman of the standing committee on Temperance, reported that said commit-

tee in session had acted on the following bill and ordered same returned to the House with a favorable report with amendment:

S. 496. (With amendment.) To amend section 12 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, located in the city of Huntsville, approved February, 1907, and to add section 13 1-2 thereto.

The above and foregoing bills were severally read a second time, and placed on the calendar.

BILLS REPORTED ADVERSELY.

Mr. Ballard of Autauga, chairman of the standing committee on Temperance, reported that said committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

S. 435. To confer on the governing bodies of towns and cities which own and operate dispensaries in counties where no part of the net profits of such dispensaries are divided with the counties in which they are so owned and operated, the right, power and authority to give to such counties a part of the net profits of such dispensaries, not exceeding forty per cent thereof, to be used and expended by the governing bodies of such counties in the improvement of the public roads of such county or counties.

Mr. Rushton, chairman of the standing committee on Banking and Insurance, reported that said committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

H. 1367. To amend sections one, three and seventeen of an act entitled an act to provide for the examination and regulation of the business of banking in the State of Alabama, approved October 10th, 1903.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Doyle, of Clarke, (with notice and proof) :

H. 1368. To repeal an act to create and establish a criminal court of record of Clarke county, Alabama, approved March 13th, 1907, and to transfer all criminal cases therein pending together with all dockets, papers and books relating to said court to the circuit court of Clarke county, Alabama.

Judiciary.

Notice and Proof. H. 1368.

The State of Alabama, }
Clarke County. }

Before me, John S. Graham, a notary public, personally appeared E. L. Colley, who, being duly sworn, deposes and says that he is the editor and publisher of The South Alabamian, a newspaper published at Jackson, Clarke county, Alabama, and that the notice hereto attached was published in the said paper four consecutive weeks, commencing June 21, 1907, and ending July 12, 1907.

E. L. Colley.

Sworn to and subscribed before me this 16th day of July, 1907.

John S. Graham,
Notary Public.

NOTICE.

To Whom it May Concern :

Take notice that the Legislature of Alabama at its present session, when it meets in July, 1907, to conclude its labors, will be asked to repeal the law establishing what is known and styled as the county court of Clarke Alabama.

By Mr. Haley :

H. 1369. For the relief of A. J. Brooks, of Jefferson county, Alabama.

Appropriations.

By Mr. John :

H. 1370. To provide a commission to investigate the charges made against the management of the Insane Hospital; to prescribe its powers and duties and to pay the per diem, mileage and expenses thereof.

Judiciary.

By Mr. Lovelady:

H. 1371. To empower the Superintendent of Education to give certificates of proficiency and of license to teach.

Education.

By Mr. Lacy, of Walker, (with notice and proof) :

H. 1372. To fix the time when the tax collector and tax assessor of Walker county shall begin the round and to visit the several precincts of said county for the purpose of assessing and collecting taxes.

Local Legislation.

Notice and Proof. H. 1372.

NOTICE OF BILL.

There will be introduced at the adjourned session of the Legislature of Alabama, which reconvenes July 9th, 1907, a bill substantially as follows:

A BILL

To be entitled an act, to repeal an act requiring the tax collector and tax assessor to make the first round, visiting all the voting precincts in the county for the purpose of collecting and assessing State and county taxes, in so far as the same applies to Walker county.

Section 1. Be it enacted by the Legislature of Alabama, That on and after the passage of this act the tax collector and tax assessor will not be required to make the first round visiting the various precincts of the county for the purpose of collecting and assessing State and county taxes, in so far as the act applies to Walker county.

Sec. 2. Be it further enacted by the Legislature of Alabama, That all the laws and parts of laws in conflict with this act be and the same are hereby repealed.

The State of Alabama, }
Walker County. }

Before me, E. W. Long, clerk of the circuit court in and for said county and State, personally appeared W. R. Richardson, who, being duly sworn, deposes and says that he is the manager of the Mountain Eagle, a weekly newspaper published in said county; that the attached notice, "To repeal an act requiring the tax collector and tax assessor to make the first round, visiting all the voting precincts of the county for the purpose of collecting and assessing State and county taxes, in so far as the same applies to Walker county," was published in said newspaper once a week for four consecutive weeks, commencing on 12th day of June, 1907, and ending on the July 3rd, 1907.

W. R. Richardson,
Manager Mountain Eagle.

Sworn to and subscribed before me this 17th day of July, 1907.

E. W. Long,
Clerk Circuit Court.

By Mr. Parker, (by request) (with notice and proof):

H. 1373. To repeal an act entitled an act to confer additional jurisdiction upon the county court of Cullman county, Alabama, and to regulate the proceedings therein, approved March 1st, 1901, and to provide for the transferring of the cases pending on the jury docket of said county court to the circuit court of Cullman county, for trial.

Judiciary:

Notice and Proof. H. 1373.

The State of Alabama, }
Cullman County. }

Before me, Gault Campbell, a notary public in and for said county and State, personally appeared, J. W.

Hewlett, who, being first duly sworn on oath says he is one of the writers and publishers of the Cullman Tribune, a weekly newspaper published in Cullman county, Alabama, and that the following notice, a true copy of which is hereto attached, was published in said paper on the following dates, to-wit: June 14th, 1907; June 21st, 1907; June 28th, 1907, and July 5th, 1907.

J. W. Hewlett.

Sworn to and subscribed before me this 20th day of July, 1907.

Gault Campbell,
Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session of the Legislature of Alabama, which convenes in the month of July, 1907, to repeal the act entitled, "An act to confer additional jurisdiction upon the county court of Cullman county, Alabama, and to regulate the proceedings therein," approved March 1st, 1907, and to provide for the transferring of cases pending on the jury docket of said court to the circuit court of Cullman county, Alabama, for trial.

Said bill being in substance as follows:

A BILL

To be entitled an act to repeal an act entitled an act to confer additional jurisdiction upon the county court of Cullman, Alabama, and to regulate the proceedings therein," approved March 1st, 1901, and to provide for the transferring of the cases pending on the jury docket of said county court to the circuit court of Cullman county, for trial.

Section 1. Be it enacted by the Legislature of Alabama, That the act entitled "An act to confer additional jurisdiction upon the county court of Cullman county, Alabama, and to regulate the proceedings therein," approved March 1st, 1901, be and the same is hereby repealed.

Section 2. Be it further enacted, That all cases now pending on the jury docket in said county court in which a jury has been demanded are hereby transferred for trial to the circuit court of Cullman county, Alabama, and said circuit court is hereby invested with full jurisdiction and power to try and dispose of said cases, as though the proceedings in each of said cases had been originally commenced in said circuit court.

Section 3. Be it further enacted, That the clerk of said circuit court shall, as soon as may be expedient, enter all cases now pending on the jury docket in said county court upon the docket kept for criminal cases in said circuit court.

Section 4. Be it further enacted, That all laws and parts of laws in conflict herewith are hereby repealed.
By Mr. Rushton:

H. 1374. To prohibit misrepresentations by life insurance companies and to prohibit rebating and discrimination and to prohibit certain practices and to provide a penalty for accepting rebate.

Banking and Insurance.

By Mr. Dudley:

H. 1375. To amend section 4120 of the Code of 1896.
Ways and Means.

By Mr. Malone, (with notice and proof) :

H. 1376. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors or other intoxicating drinks in Henry county, and to provide punishment of violator of said act.

Temperance.

Notice and Proof. H. 1376.

The State of Alabama, }
Henry County. }

Before me, R. W. Miller, a notary public in and for said county, said State, personally appeared A. U. Grouby, being duly sworn by me, deposes and says that he is proprietor, editor and manager of The Abbeville News, a weekly newspaper published in the town of Abbeville, county of Henry and State of Alabama, on Fri-

day of each week; that the notice hereto attached or pasted, and made a part of this affidavit, was published in his said paper once a week for four successive weeks, on, to-wit: the 19th day of July, the 12th day of July, the 5th day of July and on the 28th day of June, of the year 1907.

NOTICE.

The State of Alabama, }
Henry County. }

Notice is hereby given that there will be introduced in the Legislature of Alabama, at the adjourned term thereof when said body shall reconvene in July, 1907, for the purpose of completing the present term, a bill which shall provide: First. That no spirituous, vinous or malt liquors, or intoxicating drinks shall, after the passage of this act, be sold, bartered or exchanged in said Henry county, Alabama, by or through a dispensary, or otherwise; second, for an adequate penalty for the violation of said act; third, for the repeal of all dispensary laws, and of all other laws in conflict with said act in so far as the same may relate to or affect said Henry county. June 28th, 1907.

(Signed) A. U. Grouby.

Sworn to and subscribed before me, on this the 20th day of July, 1907.

R. W. Miller,
Notary Public.

By Mr. Malone, (with notice and proof):

H. 1377. To provide for the construction, repairing, working and maintaining of the public roads of Henry county, Alabama, and to provide for the levying a special property and per capita tax for same, and for the punishment of defaulters.

Public Roads and Highways.

Notice and Proof. H. 1377.

The State of Alabama, }
Henry County. }

Before me, R. W. Miller, a notary public in and for said county, said State, personally appeared J. R. Epsey, who, being duly sworn by me, deposes and says, that he is the owner, the editor and the manager of the Abbeville Times, a weekly newspaper published on every Thursday in the town of Abbeville, in said county and State; that the notice hereto attached, or pasted on this sheet and made a part of this affidavit, was published in his said paper for four successive weeks, on, to-wit, the 18th day of July, the 11th day of July, the 4th day of July and the 27th day of June, 1907.

NOTICE.

The State of Alabama, }
Henry County. }

Notice is hereby given that there will be introduced in the Legislature of Alabama, when said body reconvenes on July 9, 1907, for the completion of the present term, a bill which shall provide:

1st. For the constrution and better working, repairing and maintaining of the public roads of Henry county, Ala.

2nd. For the appointment or election of a general supervisor of said public roads, prescribe the duties and terms of office of said supervisor, and provide for his pay.

3rd. For the commissioners' court to furnish the necessary tools, road implements and machinery, wagons, mules and teams suitable for the proper construction, working, repairing and maintaining of said public roads, and to pay for same out of the proper funds of the county.

4th. For the payment by all male persons in said Henry county who are over twenty-one and under fifty years of age, of an annual per capita road tax of \$3.00 each, and the mode of collecting the same.

5th. For the levying by the commissioners' court of a road and bridge tax of one-fourth of one per centum on all the taxable property in said county.

6th. For the commissioners' court in defraying the expenses of properly constructing, working, repairing and keeping up the public roads and public bridges and culverts of said Henry county, to expend first, the funds arising from the capita tax, and the fund arising from the one-fourth of one per centum road and bridge tax; and if said funds be insufficient to keep said roads and bridges in good condition, then said commissioners' court shall expend thereon such amount of the general fund of the county as may be necessary to keep said roads and bridges in proper repair for the convenience and interest of the public.

(Signed) J. R. Epsey.

Sworn to and subscribed before me, on this the 20th day of July, 1907.

R. W. Miller,
Notary Public.

By Mr. Gunter:

H. 1378. To allow cities and towns to issue bonds to refund outstanding indebtedness.

Municipal Organization.

By Mr. Lacy, of Walker, (with notice and proof):

H. 1379. To repeal an act to regulate the salaries of teachers in public schools outside of any incorporated towns in Walker county, Alabama, approved March 5th, 1901.

Local Legislation.

Notice and Proof. H. 1379;

NOTICE.

Notice is hereby given that application will be made to the present session of the Legislature of Alabama to enact a law, in substance of follows:

A BILL

To be entitled an act to repeal an act to regulate the salaries of teachers in public schools outside of any incorporated towns in Walker county, Alabama, approved March 5, 1901.

Be it enacted by the Legislature of Alabama:

Section 1. That an act to regulate the salaries of teachers in public schools outside of any incorporated towns in Walker county, Alabama, approved March 5, 1901, be and the same is hereby repealed.

Sec. 2. That this act become effective on its passage.

T. J. Lamar,
R. A. O'Rear,
G. G. Bagwell,
W. H. Johnston.

The State of Alabama, }
Walker County. }

Before me, E. W. Long, clerk of the circuit court in said county, personally appeared J. W. Young, who, being duly sworn by me, deposes and says that he is editor of The Walker County News, which is a newspaper published in Walker county, Alabama, and that the attached notice to repeal an act to regulate the salaries of teachers outside of any incorporated towns in Walker county, Alabama, approved March 5th, 1901, was published in said paper for four consecutive weeks beginning Jan. 24th, 1907.

J. W. Young.

Sworn to and subscribed before me July 22, 1907.

E. W. Long,
Clerk Circuit Court.

By Mr. Lyons:

H. 1380. To regulate the public oyster reefs and beds in the waters of Alabama; to regulate the manner of taking and catching oysters on such public reefs and private bedding grounds; and to prescribe the measure of oysters in the shell; to fix a tax upon oysters caught and canned in this State; to provide the season during which oysters can be taken from the public reefs and

private bedding grounds of this State; to provide for the proper culling of oysters, and to fix penalties for the violation of any of the provisions of this act, to repeal section 3160 of the Code of Alabama, and to repeal section 3159 of the Code of Alabama as amended by an act approved October 3rd, 1903.

Game, Fish and Forestry Preservation.

By Mr. John :

H. 1381. To amend section 2574 of the Code.

Judiciary.

By Mr. Rice, (with notice and proof) :

H. 1382. To amend an act entitled "An act to provide for an election by the qualified electors of Tuscaloosa county to determine whether the sale, barter, exchange, giving away or otherwise disposing of vinous, spirituous, or malt liquors, intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous, or malt liquors, intoxicating beverages, bitters and proprietary medicines, and to prohibit the shipping into said county by any common carriers and the bringing into said county by any persons for the use of any other person than himself any such spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts.

Temperance.

Notice and Proof. H. 1382.

The State of Alabama, }
 Tuscaloosa County. }

Before me, Fleetwood Rice, a notary public in and for said county and State, personally appeared John T. Bealle, who, being first duly sworn, deposes and says that he is the owner and publisher of the West Alabama Breeze, a newspaper published in Tuscaloosa county, Alabama, and that the notice hereto attached was published in said paper for four consecutive weeks, as follows: June 26, 1907; July 3, 1907; July 10, 1907, and July 17, 1907, the said notice being as follows:

Notice is hereby given that there will be introduced and offered for passage at the present session of the Legislature which will convene on July 9th, 1907, a bill applicable to Tuscaloosa county, substantially as follows:

A BILL

To be entitled an act to amend an act entitled "An act to provide for an election by the qualified electors of Tuscaloosa county to determine whether the sale, barter, exchange, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters and proprietary medicines and to prohibit the shipping into said county by any common carriers and the bringing into said county by any person for the use of any other person than himself any such spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt li-

quors, intoxicating beverages, bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts," so as to make said act operative and effective on and after the passage of this amendment.

Jno. T. Bealle.

Sworn to and subscribed before me this the 20th day of July, 1907.

Fleetwood Rice,
Notary Public.

BILLS ON THIRD READING.

H. 1232. To make further provisions for defraying the expenses of the Legislature.

Was read a third time, at length, and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:—

Speaker	Elrod	Oliver
Altman	Fuller	Parker
Armstrong	Glover	Pearson
Arnold	Haley	Peete
Avery	Henley	Pitts (Dallas)
Ballard (Autauga)	John	Pitts (Perry)
Ballard (Pike)	Johnson	Powell (Bullock)
Barton	King	Pratt
Benners	Kirby	Price
Benson	Kornegay	Rattray
Bloch	Lancaster	Rushton
Brown	Lawson	Sample
Bulger	Lee (Barbour)	Seale
Burney	Lee (Etowah)	Sherrod
Cannon	Long (Butler)	Smith (Elmore)
Carmichael (Clay)	Lyons	Smith (Franklin)
Coleman (Marshall)	Malone	Smith (Lee)
Cooper	Middleton	Turner
Crum	Mitchell	Vann
Doyle (Clark)	Moore	Weaver
Doyle (Marengo)	McMillan	White (Lamar)
Edwards		

On motion of Mr. Carmichael, of Colbert, the bill, H. 1232, was ordered sent forthwith to the Senate without engrossment.

H. 906. To appropriate a sum of money to pay for the stationery and stationery supplies used by the Legislature of Alabama during this present session.

Was read a third time, at length, and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:—

Speaker	Edwards	Parker
Altman	Elrod	Pearson
Armstrong	Foster	Peete
Arnold	Haley	Pitts (Perry)
Avery	Henley	Powell (Bullock)
Ballard (Autauga)	Hughston	Pratt
Ballard (Pike)	John	Price
Barton	Johnson	Ragsdale
Benners	King	Rainer
Benson	Kirby	Rowe
Bloch	Lancaster	Rushton
Brown	Lawson	Sample
Bulger	Lee (Barbour)	Sanders
Burney	Lee (Etowah)	Seal
Cannon	Long (Butler)	Sherrod
Carmichael (Clay)	Lyons	Smith (Elmore)
Coleman (Marshall)	Malone	Smith (Franklin)
Cooper	Mastin	Smith (Lee)
Cranford	Mitchell	Turner
Crum	Moore	Vann
Doyle (Clark)	McMillan	White (Lamar)
Doyle (Marengo)	Oliver	

—65.

On motion of Mr. Carmichael, of Colbert, the bill, H. 906, was ordered sent forthwith to the Senate without engrossment.

H. 628. To amend sections one (1) and four (4) of an act entitled an act to amend sections 1116 (1547), 1117 (1548), 1118 (1549), 1119 (1550), and 1120 (1551) of the Code of Alabama of 1896, approved February 28th, 1903.

Was taken up. Mr. Rushton offered the following amendment for the bill, said amendment being as follows:

Amendment by Mr. Rushton:

Amend section 1 by striking out all of section 1 and inserting in lieu thereof the following:

Section 1. 1116 (1547). All companies or associations whether voluntary or incorporated under the laws of this State, or any other State, doing in this State a business limited to the issuing of certificates or policies to, or agreeing with their members or policy holders upon the birth or death of any child, upon marriage, death, sickness, or upon any physical disability of such member or policy holder to pay money or render aid to him or to others dependent upon him or beneficiary designated by him not exceeding the amounts governed by the following limitations as to weekly benefits and death benefits to the assured or beneficiary of the assured, and as to the deposit required to be made and kept with the insurance commissioner as a benefit or indemnity fund which money or aid payable as benefits is derived from donations or from fees, dues and assessments are mutual aid, benefit or industrial insurance companies and associations.

Class 1. For a company or association doing business under this act limited to the plan of paying to the assured or beneficiary named by him, at death, an amount equal to the assessment made upon the members composing a class or section or division, the deposit shall be one thousand dollars, and such a company or association shall not be a weekly or monthly benefit insurance, nor any class of insurance other than the payment of an amount to the assured or beneficiary named by him, equal to an amount greater than the amount collected from such class, section or division, such amount payable to the assured at death, or beneficiary named by him only.

Class 2. For a weekly benefit of not exceeding more than twenty dollars in case of disability and no death benefit, such company or association shall keep on de-

posit with the insurance commissioner two thousand dollars.

Class 3. For a weekly benefit of not exceeding ten dollars in case of disability and a death indemnity of not exceeding two hundred and fifty dollars, such company or association shall keep on deposit with the insurance commissioner three thousand dollars.

Class 4. For a weekly benefit of not exceeding fifteen dollars in case of disability and a death benefit of not exceeding four hundred dollars, such company or association shall keep on deposit with the insurance commissioner four thousand dollars.

Class 5. For a weekly benefit of not exceeding twenty dollars in case of disability and a death indemnity of not exceeding five hundred dollars, such company or association shall keep on deposit with the insurance commissioner five thousand dollars.

Such companies or associations shall not be authorized to transact business in this State until they have first submitted their charter, constitution, by-laws and certificates of membership, or policies to the insurance commissioner, and have at all times not less than five hundred bona fide members or policy holders, and the amount that is required to be deposited with the insurance commissioner in such of the above and foregoing class, or classes, of this section regulating weekly benefits, death benefits and deposit required to be made with the insurance commissioner as may be determined, shall limit the class of business of any company or association qualifying for business under this act, has been paid in as a benefit or indemnity fund for the use and protection of its members or policy holders. Such benefit fund must either be paid in cash or in bond of either the United States, the State of Alabama, or of a county or municipality of said State, of the market value of the amount that may be specified in either of the above and foregoing classes of the section. Such benefit funds shall be kept on deposit with the insurance commissioner of Alabama and kept by him as an indemnity fund for the benefit of its members or policy holders in this State.

Provided, however, that any such company or association making such deposit shall be entitled to the income thereof, and may from time to time, with the consent of the insurance commissioner, change in whole or in part the securities which compose the deposit, for other competent securities of equal value.

Provided, further, that all companies or associations, organized and transacting business under this act shall have, and at all times maintain solvent assets to the amount of one dollar and fifty cents for each one hundred dollars of insurance in force, written by such company or association, and in estimating and determining such amount, there must be deducted therefrom any liabilities of such companies or associations for any sums or amounts due or owing for any purpose or claims other than liabilities upon its policies or contracts of insurance.

And the amendment was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Parker
Altman	Henley	Pearson
Armstrong	Hughston	Pitts (Dallas)
Avery	John	Pitts (Perry)
Ballard (Autauga)	Johnson	Powell (Bullock)
Barton	King	Pratt
Benners	Kirby	Price
Bulger	Kornegay	Rainer
Burney	Lancaster	Rowe
Cannon	Lawson	Rushton
Carmichael (Clay)	Lee (Barbour)	Seale
Coleman (Marshall)	Lee (Etowah)	Sherrod
Cooper	Lee (Houston)	Steagall
Cranford	Lyons	Turner
Crum	Middleton	Vann
Doyle (Clark)	Mitchell	Weaver
Doyle (Marengo)	Moore	White (Lamar)
Edwards	McMillan	White (Perry)
Foster	Oliver	Williams

And the bill:

H. 628. To amend sections one (1) and four (4) of an act entitled an act to amend sections 1116 (1547), 1117 (1548), 1118 (1549), 1119 (1550), and 1120 (1551) of the Code of Alabama of 1896, approved February 28th, 1903.

As amended, was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Elrod	Parker
Altman	Foster	Pearson
Armstrong	Glover	Pitts (Dallas)
Avery	Haley	Pitts (Perry)
Ballard (Autauga)	Henley	Powell (Bullock)
Ballard (Pike)	Hughston	Pratt
Barton	John	Price
Benners	Johnson	Ragsdale
Benson	Killen	Rainer
Bloch	Kirby	Rattray
Brown	Kornegay	Rowe
Bulger	Lacy (Walker)	Rushton
Burney	Lancaster	Sample
Cannon	Lawson	Sanford
Carmichael (Clay)	Lee (Barbour)	Seale
Coleman (Marshall)	Lyons	Sherrod
Cooper	Middleton	Smith (Franklin)
Cranford	Mitchell	Turner
Doyle (Clark)	Moore	White (Lamar)
Doyle (Marengo)	McMillan	Williams
Edwards	Oliver	

—62.

On motion of Mr. Carmichael, of Colbert, the bill, H. 628, was ordered sent forthwith to the Senate without engrossment.

H. 1083. To make an appropriation for furnishing and equipping certain of the offices and departments in the State capitol.

Was read a third time, at length, and passed.

Yeas, 51; nays, 1.

Yeas :

Messrs:—

Speaker	John	Powell (Bullock)
Altman	Johnson	Pratt
Armstrong	King	Ragsdale
Avery	Kernegay	Rainer
Ballard (Autauga)	Lacy (Walker)	Rattray
Barton	Lancaster	Rowe
Benmers	Lawson	Rushton
Bloch	Lee (Barbour)	Sanford
Brown	Lee (Etowah)	Sherrod
Bulger	Lee (Houston)	Smith (Elmore)
Burney	Lyons	Smith (Franklin)
Cannon	Malone	Smith (Lee)
Cranford	Middleton	Steagall
Crum	Mitchell	Turner
Doyle (Clark)	Moore	Vann
Doyle (Marengo)	Oliver	Weaver
Goodwyn	Parker	White (Lamar)
Haley	Pitts (Dallas)	Williams
Hughston	Pitts (Perry)	

—51.

Nays :

Mr. Killen

—1.

On motion of Mr. Carmichael, of Colbert, the bill, H. 1083, was ordered sent forthwith to the Senate without engrossment.

H. 1198. To amend sections 17 and 18 of an act to authorize cities, towns and other municipal corporations to make certain improvements on the side-walks, streets, avenues, alleys, highways or other public places of such city, town, or other municipal corporation; to construct sewers, to assess the costs of such improvements, or any part thereof, upon the property abutting such street, avenue, alley, highway, or other public place or drained by such sewers, or against the right of way of any railroad so improved or drained by such sewers; to make such assessments a lien on such property and to regulate appeals from such assessments; to provide methods for the enforcement of such lien, and the

payment of such assessments and penalties; and to authorize the issue of bonds to pay for such improvements, approved March 5, 1907.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Edwards	Moore
Altman	Elrod	McMillan
Armstrong	Fuller	Oliver
Arnold	Glover	Parker
Avery	Gunter	Pearson
Ballard (Autauga)	Haley	Peete
Baltzell	Henley	Pitts (Perry)
Barton	Hughston	Powell (Bullock)
Benners	John	Price
Brown	Johnson	Rainer
Bulger	King	Rowe
Burney	Kornegay	Rushton
Cannon	Lancaster	Sherrod
Carmichael (Clay)	Lawson	Smith (Elmore)
Cooper	Lee (Barbour)	Smith (Franklin)
Cranford	Lee (Houston)	Smith (Lee)
Crum	Lyons	Turner
Doyle (Clark)	Middleton	Weaver
Doyle (Marengo)	Mitchell	White (Lamar)

—57.

On motion of Mr. Carmichael, of Colbert, the bill, H. 1198, was ordered sent forthwith to the Senate without engrossment.

H. 1107. To appropriate twenty-five hundred dollars (\$2,500.00) for the incidental and contingent expenses to be disbursed on the order of the governor.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Appropriations, said amendment being as follows:

Amend said bill by striking out the words and figures as follows: "Twenty-five hundred dollars (\$2,500.00)" wherever they occur in the title and body of the bill and

insert in lieu thereof the words and figures "thirty-five hundred dollars (\$3,500.00)".

And the amendment was adopted.

Yeas, 53; nays, 2.

Yeas:

Messrs:—

Speaker	Goodwyn	Pearson
Altman	Haley	Peete
Armstrong	Hughston	Pitts (Perry)
Arnold	Killen	Ragsdale
Avery	King	Rainer
Ballard (Autauga)	Kirby	Rattray
Ballard (Pike)	Kornegay	Rowe
Benners	Lacy (Walker)	Rushton
Benson	Lee (Barbour)	Sample
Brown	Lee (Etowah)	Sanford
Bulger	Lee (Houston)	Seale
Burney	Long (Butler)	Sherrod
Crum	Lyons	Smith (Elmore)
Cooper	Mitchell	Smith (Lee)
Cranford	Moore	Steagall
Dudley	McMillan	Turner
Edwards	Oliver	Weaver
Glover	Parker	

—53.

Nays:

Messrs:—

Malone

Powell (Bullock)

—2.

And the bill:

H. 1107. To appropriate twenty-five hundred dollars (\$2,500.00) for the incidental and contingent expenses to be disbursed on the order of the governor.

As amended, was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Ballard (Autauga)	Bloch
Armstrong	Baltzell	Brown
Arnold	Benners	Bulger
Avery	Benson	Burney

Carmichael (Clay)	Kirby	Rattray
Cooper	Lawson	Rowe
Crum	Long (Butler)	Rushton
Doyle (Clark)	Malone	Sample
Doyle (Marengo)	Mitchell	Sanford
Edwards	Moore	Seale
Elrod	McMillan	Sherrod
Fuller	Oliver	Smith (Elmore)
Glover	Parker	Smith (Etowah)
Goodwyn	Peete	Smith (Franklin)
Haley	Pitts (Dallas)	Smith (Lee)
Hughston	Pitts (Perry)	Turner
John	Powell (Bullock)	Vann
Johnson	Ragsdale	Weaver
Killen	Rainer	White (Lamar)

—57.

On motion of Mr. Carmichael, of Colbert, the bill, H. 1107, was ordered sent forthwith to the Senate without engrossment.

H. 1094. To amend sections 1 and 4 of an act to appropriate annually \$67,000 or so much thereof as is necessary to aid rural school districts in the State to erect or repair public school houses, approved March 2, 1907.

Was read a third time, at length, and passed.

Yeas, 58; nays, 1.

Yeas:

Messrs:—

Speaker	Cannon	Hughston
Altman	Carmichael (Clay)	John
Armstrong	Coleman (Marshall)	Johnson
Arnold	Cooper	King
Avery	Cranford	Kirby
Ballard (Autauga)	Crum	Lacy (Walker)
Ballard (Pike)	Doyle (Clark)	Lancaster
Baltzell	Edwards	Lawson
Benners	Elrod	Lyons
Benson	Fuller	Malone
Brown	Glover	Mitchell
Bulger	Haley	Moore
Burney	Henley	McMillan

Oliver	Ragsdale	Sherrod
Parker	Rowe	Smith (Etowah)
Pearson	Rushton	Smith (Lee)
Peete	Sample	Turner
Powell (Bullock)	Sanders	Weaver
Pratt	Seale	White (Lamar)

—58.

Nays:

Mr. Pitts (Dallas)

—1.

On motion of Mr. Carmichael, of Colbert, the bill, H. 1094, was ordered sent forthwith to the Senate without engrossment.

H. 1310. To make an appropriation for the payment of sundry balances and to provide for the completion of the improvements on the State capitol building.

Was read a third time, at length, and passed.

Yeas, 65; nays, 2.

Yeas:

Messrs:—

Speaker	Edwards	Oliver
Altman	Elrod	Parker
Armstrong	Glover	Pearson
Arnold	Goodwyn	Peete
Avery	Gunter	Pitts (Dallas)
Ballard (Autauga)	Haley	Pitts (Perry)
Baltzell	Hughston	Powell (Covington)
Barton *	John	Pratt
Benners	Johnson	Price
Benson	Kornegay	Ragsdale
Bloch	Lacy (Walker)	Rainer
Brown	Lancaster	Rowe
Bulger	Lawson	Rushton
Burney	Lee (Barbour)	Sample
Cannon	Lovelady	Sanders
Carmichael (Clay)	Lyons	Sanford
Cooper	Malone	Seale
Cranford	Maner	Sherrod
Crum	Mastin	Smith (Elmore)
Doyle (Clark)	Mitchell	Steagall
Doyle (Marengo)	Moore	Turner
Dudley	McMillan	

—65.

Nays:

Messrs:—

Fuller

Weaver

—2.

On motion of Mr. Carmichael, of Colbert, the bill, H. 1310, was ordered sent forthwith to the Senate without engrossment.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bills:

H. 879. To dissolve the quarantine board of Mobile bay and provide for the disposition of its assets.

H. 868. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating drinks or beverages within five miles of the Corona Methodist church in Corona, in Walker county, Alabama.

H. 1004. To repeal an act entitled an act to establish and define the boundary lines of Spring Hill school district, Pike county.

H. 989. To fix the time and place where the tax collector of Morgan county, Alabama, shall keep his office, and prescribing the number of rounds to be made by him in the county each year for the purpose of collecting taxes, and allowing him to fix the number of days to remain in the several precincts, for the purpose of collecting taxes during the months of October and November in each year, and requiring him to be at the court house of the county during the month of December in each year, for the purpose of collecting the taxes of the county.

H. 993. To amend an act entitled an act to fix and regulate the ex-officio fees of the clerk of the circuit court of Limestone and Morgan counties.

H. 891. To provide for the election of the county commissioners of Bibb county, Alabama, and to prescribe their terms of office.

H. 1043. To repeal sections two and three of an act "entitled an act to repeal an act to increase the number of grand and petit jurors in Winston county and to provide and designate the number of petit jurors drawn in said county," approved Dec. 10, 1886.

H. 1042. To repeal an act entitled "An act to increase the number of grand and petit jurors in Winston county," approved February 7th, 1885.

H. 1010. To ratify and confirm the acts and contracts of the court of county commissioners of Russell county, or other authorized agents of said county, in borrowing money for the use and benefit of said county, and to ratify and confirm the warrants given on said contracts for money so borrowed.

H. 1044. To alter or change the bounadry line between the counties of Etowah and Calhoun in the State of Alabama, and as altered to establish the same.

H. 1064. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plans and survey of Smithfield by Dr. Jos. R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Sally avenue. All of Joseph street lying between Valley Creek canal and Irene avenue. All of Mortimer street lying between Valley Creek canal and Agnes avenue. All of Agnes avenue lying between Valley Creek canal and Mortimer street.

H. 1106. To make it unlawful for any person to sell, give away, or otherwise dispose of spirituous, vinous or malt liquors within three miles of the school house known as the Powell school house in beat six (6) of Crenshaw county, Alabama, and to punish violations of the same.

H. 924. To divide the county of Hale into four commissioners' districts and to provide for the election of a commissioner for each district.

H. 870. To repeal an act entitled "An act to establish the county court of Coffee county with criminal jurisdiction in misdemeanor cases," approved February 8th, 1901, and all subsequent and amendatory acts re-

lating to said court, and to transfer all the civil and criminal proceedings therein pending, together with all the dockets, papers and books relating to said cases in said county court of Coffee to the circuit court of Coffee county, Alabama.

H. 1049. To provide for the holding of two terms each year, of the circuit court of the Ninth judicial circuit at Albertville, in Marshall county, and to regulate the same.

H. 1082. To amend sections 4 and 12 of an act to better provide for the maintaining and keeping in repair the public roads of Escambia county, approved Sept. 17, 1903.

H. 1089. To require one round to be made by the tax collector and tax assessor of Blount county for the purpose of assessing and collecting taxes, said round to begin the first Monday of November of every year.

H. 1099. To amend section 3 of an act entitled "An act to establish a separate school district in Clarke county, Alabama, to be known as the Grove Hill school district and to provide for the maintenance of the same, approved March 4th, 1901.

H. 1098. To provide for closing and discontinuing the dispensary operated under an act establishing a dispensary in the town of Clanton, county of Chilton, State of Alabama, and to provide for the conduct and regulation of the same, approved March 2, 1907.

H. 1119. To declare the ownership of all books of record, all books of every character kept by any officer of the circuit court of Henry county at Dothan and Columbia, and all papers of every character pertaining to any cause, civil or criminal, theretofore disposed of, or pending or originating in said courts and not finally disposed of, including indictments where no arrests had been made, at the time of the organization of the county of Houston to be the property of Houston county and same to be kept in the office of the clerk of the circuit court of Houston county; to give the circuit court of Houston county jurisdiction of all such causes, civil or criminal, including indictments, where no arrest had

been made at the time of the organization of said Houston county, except where the defendant was at the time of the commission of the offense alleged, in what is now Henry county, in which latter event the circuit court of Henry county shall have jurisdiction of the offense; to prescribe the duties and powers of the clerk of the circuit court of Houston county and of the sheriffs of their respective counties with reference to the issuance of process and the execution thereof in such causes, and to ratify and confirm all orders and judgments and proceedings of the circuit courts of Henry and Houston counties in any of said causes, and the acts of the clerks of the circuit courts of said counties and of the sheriffs of their respective counties, within their powers and duties, in and about any of said causes, including the issuance of capias and arrests thereon, on indictments returned to said circuit courts of Henry county at Dothan and Columbia, and to declare same of legal force and effect the same as though such cases had originated in said circuit courts of Houston or Henry counties.

H. 1095. To require the tax assessor and tax collector of Calhoun county, Alabama, to visit the voting places in each precinct in Calhoun county, Alabama, once in each year, for the purpose of assessing and collecting taxes; that said tax assessor and tax collector shall each keep his office open at the court house of said county from October the 1st to December the 31st of each year.

H. 832. To vacate the dedication of all that part of Charles avenue lying north and east of the eastern line of Tewlfth street as now located between avenues "H" and "I" in the city of Birmingham, Jefferson county, Alabama, and which was dedicated as a public highway.

H. 820. To allow the boards of revenue, ~~or courts~~ of county commissioners, of the various counties of Alabama to purchase and direct the keeping of bloodhounds for their counties.

H. 965. To fix the times and places of holding the chancery court in the Eighth district of the Northern division, composed of the county of Madison.

H. 1059. To prohibit the sale, barter, exchange, giving away, lending, delivery, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters, cordials or proprietary medicines or alcoholic drinks in Sumter county, Alabama, provided this act shall not prevent its use for religious or sacramental purposes; and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any person other than himself any such spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, or intoxicating proprietary medicines or alcoholic drinks from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, alcoholic drinks or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks to any point within this State, and to prohibit any person, firm or corporation in the State of Alabama, from shipping into Sumter county, from any point in said State, spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, intoxicating proprietary medicines or alcoholic drinks, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict therewith.

H. 892. To further regulate the working of the public roads of Bibb county, Alabama.

H. 861. To authorize and empower the board of mayor and aldermen of the city of Bridgeport, Jackson county, Alabama, to release manufacturing establishments within said city from the payment of city taxes.

H. 1054. To require the court of county commissioners of Marion county, Alabama, to use two mills each year of the two and one half mills now used for bridges for the improvement of the public roads of the county through a public road superintendent or superintendents to be appointed by said court of county commissioners, which court shall fix their compensation to be paid out of said funds; to allow all persons subject to road duty in said county to pay \$5.00 instead of working the ten days now required; and to provide how and when this law shall go into effect.

H. 1050. To prescribe the duties, fix the fees and commissions of the deputy solicitor of Escambia county, Alabama, and to make disposition of the residue of the fees and commissions earned by such solicitor.

H. 896. To repeal an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large.

H. 1197. To provide for an election in Perry county, Alabama, to determine whether spirituous, vinous and malt liquors shall be sold in said county after October 15th, 1909; to provide for holding said election and for other purposes.

H. 895. To repeal an act entitled an act to provide for the election of the county superintendent of education by a vote of the legal electors of Covington and Bullock counties, approved February 17th, 1885, so far as the same relates to Bullock county.

H. 1051. To provide for the payment by the county of Escambia of all accounts for postage used by certain officers of said county.

H. 1037. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county or other authorized agents of said county, bor-

rowing money for the use and benefit of said county and to ratify and confirm the warrants given for money so borrowed, and for the interest thereon, and for warrants heretofore issued for said purpose.

H. 889. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

H. 1105. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials or other intoxicating drinks or beverages within four miles of Chappel Hill Missionary Baptist church, Cool Springs Missionary Baptist church and the Rutledge Methodist Episcopal church, south, provided, the incorporation limits of the Rutledge Methodist Episcopal church, south, shall not extend further east than the corporate limits of the town of Luverne, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

H. 1065. To vacate and annul the dedication of the following highways and parts of highways, situated in Birmingham, Jefferson county, Alabama, to-wit: All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property. All of Eighth street from First avenue, north, to the right-of-way of the Alabama Great Southern railroad company. All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron and Railroad Company.

H. 948. To provide for the payment of State witnesses in criminal cases in Conecuh county, Alabama.

H. 923. To provide that all confederate soldiers, sailors and their widows, who are drawing a pension and who are over the age of eighty years, shall be entitled to and receive a pension of the first class.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills beg leave to report that it has examined and found correctly engrossed the following bills:

H. 1267. To provide for the payment by the court of county commissioners of Bullock county, Alabama, out of the county treasury for removal fees, mileage and per diem for the removal of persons charged with misdemeanor.

H. 913. For the maintenance, improvement and protection of the public roads and bridges of Cullman county, Alabama.

H. 980. To fix and provide for the salary of the chancellor of the Southwestern chancery division of the State of Alabama.

H. 1269. For the relief of Mrs. Catherine Morrison.

H. 1184. To amend an act entitled an act to prevent the running at large of stock in certain portions of Elmore county, approved February 18th, 1891.

H. 979. To fix and provide for the salary of the judge of the Thirteenth judicial circuit of Alabama.

H. 1270. To require the tax assessor of Montgomery county to make annually a lot book showing in abstract form all subdivisions which have been or which may be hereafter made of all property in Montgomery county, and the name of the person, firm, or corporation to whom each lot or subdivision is assessed for the current year; and to provide compensation therefor.

H. 1112. To provide for the better construction, repairing, working and maintaining the public roads and bridges in Franklin county, Alabama.

H. 1009. To authorize the county of Russell to borrow money not exceeding the current revenue of said county for any one year, in the discretion of the court of county commissioners of said county.

H. 953. To provide how the salaries of circuit judges whose salaries are partly paid by the counties in which said judges hold court, shall be paid.

H. 894. To prohibit any person who holds the office of justice of the peace, or any other office where authority is given to issue warrants of arrest, from acting as attorney in cases where the complaint against the defendant was made before such person, and the warrant of arrest was issued by him, in his official capacity.

H. 1213. To amend section five of an act approved February 22nd, 1907, entitled "An act to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, malt liquors, intoxicating beverages, bitters or proprietary medicines in Lamar county, Alabama, and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or malt liquors, intoxicating beverages or intoxicating bitters, or intoxicating proprietary medicines from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, or intoxicating proprietary medicines, in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, or intoxicating bitters, or intoxicating proprietary medicines by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telephone or telegraph company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters or intoxicating proprietary medicines to any point within this State, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict herewith.

H. 1110. For the relief of H. Frederick, an ex-confederate soldier; to give the said H. Frederick the benefits granted under an act of the General Assembly of Alabama, approved February 10th, 1899, for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and to require the probate judge of

Escambia county to place his name on the pension roll or list of ex-confederate soldiers in the county of Escambia.

H. 947. To regulate the fees of the sheriff for services in the county court of Conecuh county, Alabama.

H. 1165. To amend an act entitled "An act to establish a separate school district to be known as the Elba school district in Coffee county, Alabama, and to provide for the management of the public schools in said district," approved February 28th, 1901, as amended by an act approved September 28th, 1903.

H. 1041. (With amendment.) To increase and fix the compensation of jurors, grand and petit, who serve in the circuit court of Winston county.

H. 1008. To establish the law and equity court of Mobile.

H. 1135. To repeal an "Act to provide for the establishing of a separate school district to be known as the Oxmoor district, at Oxmoor Jefferson county, Alabama, with certain powers and privileges of levying taxes to sustain said school," approved February 9th, 1877.

H. 1219. To increase the salary of the solicitor of Jefferson county to the sum of four thousand five hundred dollars per annum, and provide for the payment of said salary.

H. 875. For the relief of J. W. Swindle, Jas. Morris, W. R. Blackwell, and R. S. Green, J. K. P. Manasco, J. H. Weems, John Orear, W. C. Atkins, U. R. Self, Jacob Strickland, John S. Jenkins, F. M. Hyche, J. W. McDaniel and R. T. Knight, ex-confederate soldiers, all resident citizens of Alabama.

H. 933. To vacate and annul as public streets or highways that portion of First street in the town of North Birmingham, Alabama, beginning fifty feet south of Seventh alley, and running thence south to the Southern Railway right-of-way, and that portion of Second street in the town of North Birmingham, Alabama, running from the south line of Seventh alley, south to the north line of Eighth alley, both according to the map of the North Birmingham Land Company; and to annul and extinguish the dedication thereof.

H. 938. To alter or rearrange the boundary lines of the city of Bessemer, Jefferson county, Alabama.

H. 1067. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All that part of the alleys lying and running through blocks 83, 122, 126 and 168, lying within one hundred feet of Fourteenth street and the continuation thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land and Improvement Company, and situated in Bessemer, Jefferson county, Alabama. Also that part of the alley in block B of Hall's addition to Bessemer, map of the plan and survey of which is recorded in the office of the judge of probate of Jefferson county, Alabama, in map book three at page twenty-three, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama; also all that part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama; also all that part of Seventeenth street lying between First avenue and Alabama avenue in the city of Bessemer, Jefferson county, Alabama; and also all the alleys lying within and running through blocks two hundred and one and two hundred and two in the city of Bessemer, Jefferson county, Alabama.

H. 1035. To provide for the election of a county solicitor for Wilcox county, to define his duties and fix his compensation.

H. 966. To amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26th, 1907.

H. 1183. For the relief of Mrs. Mary Jane Vernon, widow and sister of G. B. Alexander, a confederate pensioner.

H. 1301. To prohibit the sale, barter, exchange, or giving away of vinous, spirituous or malt liquors, or

other intoxicating drinks or beverages, in the county of Houston, in the State of Alabama; and to provide for an offense and a penalty for the sale, barter, exchange, or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages in the said county of Houston.

H. 1210. To repeal section 1 of an act to increase the criminal jurisdiction of justices of the peace in the counties of Limestone, Marion, Greene and Marshall, approved February 12, 1879, so far as Marion county is concerned; and to provide that justices of the peace and notaries public and ex-officio justices of the peace of Marion county shall have and exercise the jurisdiction given by the Code and general laws of the State.

H. 1221. To prohibit the running or operation of billiard or pool tables for the use of which money or other thing of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

H. 1100. To prohibit the manufacture of spirituous or malt liquors in Cherokee county.

H. 1102. To amend sections 8 and 10 of an act entitled an act to authorize the cities of Tusculumbia and Sheffield, and the towns of Leighton and Cherokee, in Colbert county, to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved February 15, 1907, and to amend said act by adding sections 19 and 20 thereto.

H. 1297. To fix the compensation to be allowed the sheriff of Butler county, Alabama, for empaneling grand juries, advertising and attending elections in Butler county, and for all other public services and official duties for the compensation of which no express provision of law is made.

H. 1259. To amend sections 4, 13, 20, 17, 24, 25, and by adding section 28 1-2 to the provisions of an act entitled "An act to provide a road law for the county of

Marengo, and to enforce the same," approved February 26, 1907.

H. 1002. To amend section 4 of an act entitled, "An act to incorporate the town of Somerville in Morgan county, Alabama," approved February 3rd, 1872.

H. 914. To vacate and annul those parts of avenues Nine and Ten, west, south of Ninth street, and those parts of Tenth, Eleventh and Twelfth streets, west of Eighth avenue, west, in the city of Cullman, Alabama.

H. 1244. To relieve and exempt the Alabama State Fair and Exhibit Association and all persons, firms or corporations who conduct business with said association on its fair grounds in Jefferson county, during the annual fairs of said association from the payments of all State, county and municipal taxes and licenses.

H. 1223. To require the five thousand dollars required by section 25 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, Alabama, located in the city of Huntsville, approved the 7th day of February, 1907, to be paid over to the county superintendent of education of Madison county for the support of the public schools of the county, to be applied exclusively to the public schools of the county of Madison, outside the city of Huntsville.

H. 1218. To fix the time for the election of the solicitor of Jefferson county.

H. 1291. For the relief of W. C. Evans, a confederate pensioner of Pickens county, Alabama.

H. 874. To provide for and regulate the compensation to be paid teachers in the public schools of Walker county, Alabama.

H. 1169. To establish an inferior court in precinct No. 10 in Morgan county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, and to define the jurisdiction and powers of said court and the judge thereof.

H. 1295. To fix the compensation to be allowed the sheriff of Butler county, Alabama, for services rendered by the sheriff of Butler county, Alabama, in the county

court of Butler county, and to provide for the payment of said compensation.

H. 1170. To provide for the payment of outstanding claims against the fine and forfeiture fund of Morgan county, to provide for the issuing and payment of all witness certificates in behalf of the State out of the fine and forfeiture fund, authorize and direct the county treasurer to appropriate and transfer from the general funds of the county to the fine and forfeiture fund a sufficient amount to pay witness certificates, and to provide for quarterly reports of the condition of said funds.

H. 955. To amend an act entitled an act to regulate the city court of Birmingham in the practice and procedure in said court; to provide for judges thereof, their election, term of office, removal, power and salary; for the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery and other supplies for the holding of said court," approved February 26th, 1907.

H. 1298. To authorize and empower the court of county commissioners of Butler county to contract for and place in the office of the various officers of said county, telephones, writing machines and other mechanical devices as in the opinion of the said court of county commissioners is necessary or expedient and to contract for and place in the jail and poor houses of said county such telephones as may be necessary.

H. 1126. To amend section 28 of an act entitled "An act to establish the city court of Bessemer," approved February 28th, 1901.

H. 1299. To fix the compensation to be allowed the circuit clerk of Butler county, Alabama, for all official duties not otherwise provided for.

H. 1191. To provide that the sheriff of Bullock county, Alabama, shall receive for "impaneling grand juries, advertising and attending all elections in his county, and for all other public service not otherwise provided for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury, not exceeding five hundred (\$500.00) dollars per annum."

H. 1256. For the improvement of the public roads of Lowndes county.

H. 1255. To require each and every person who peddle, or who travel and sell at retail medicine of any kind, dry goods, notions, bibles or books, secular or religious, in Lowndes county, Alabama, to pay a license tax of seven hundred and fifty dollars, and to provide a penalty for a violation thereof.

H. 1292. To require the court of county commissioners of Baldwin county to let to the lowest bidder, after due notice by publication, the road and bridge contracts in Baldwin county; provided, said bidder gives bond for the faithful performance of contract.

H. 1091. To repeal an act entitled "An act to provide for and regulate the issuance of licenses for the sale of vinous, spirituous, and malt liquors to hotel owners, keepers or lessees, in beat 1, Blount Springs precinct, in the county of Blount, State of Alabama.

H. 1001. To amend section 1 of an act entitled, "An act to establish a new charter for the town of Hartselle in Morgan county," approved February 18th, 1899.

H. 999. To repeal an act entitled, "An act to authorize and empower the Decatur Land Company, a corporation, to list certain of its lands to the tax assessor of Morgan county in acreage," approved December 13th, 1900.

H. 1013. To provide for the payment out of the county treasury of Shelby county, Alabama, the sum of \$336.91 as salary or compensation and expenses of the State examiner while engaged in making an examination of books and accounts of the various county officers of said county of Shelby as they pertain to the county affairs, and to make said claim a preferred claim against said treasury.

H. 1196. To amend section thirteen of an act to establish, maintain and regulate a dispensary in the town of Marion, Perry county, Alabama, for the sale of spirituous or vinous liquors, malt liquors, wines, ciders, or other intoxicating liquors and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt

liquors, wines, ciders or other intoxicating liquors or for other purposes approved February 28, 1901.

H. 1308. To amend sections 1, 2, 6, 7, 9, 10, 11, 15, 24, 25, and 38 of an act entitled an act to amend an act entitled an act to better provide for establishing, working and maintaining the public roads and bridges in Walker county, Alabama, approved March 6th, 1903.

H. 1116. To provide for an election to remove the county seat of Geneva county, Alabama, from the town of Geneva to the town of Hartford, if a majority of the qualified electors of said county at such election shall vote for such removal, and to provide for changing the county seat, and the erection of necessary county buildings and offices.

H. 1066. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All of Sadler avenue; the south half of Lucian avenue from the center of Emma street to the center of Telula street; all of Lucian avenue from center to Telula street to Eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-five and north of center of Valley Creek canal; all of Telula street lying south of the center of Lucian avenue and north of center of Valley Creek canal; the east half of Telula street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-five and center of Lucian avenue all of Emma street lying south of the continuation of the south line of the alley running easterly and westerly through block twenty-eight and north of the center of Valley Creek canal; the east half of Emma street lying between a continuation of the south line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all the alleys in or through blocks twenty-nine, thirty, and thirty-one; all being located according to the survey, map and plan of Owenton, a map of which is recorded in map book two, page twenty-six, in the office of the probate judge of Jefferson county, Alabama.

H. 972. To amend section 3 of an act entitled "An act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9, 1891.

H. 956. To provide for the appointment by the judges of the city court of Birmingham, of the necessary bailiffs for said court and to fix the duties, liabilities and compensation of said bailiffs and to provide for the payment of their compensation.

H. 968. To amend section one of an act, approved December 7th, 1896, entitled an act to amend section 1 of an act entitled an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river and the tributaries of those streams in Mobile county, approved February 18th, 1895.

H. 1268. To allow the sheriff of Bullock county, Alabama, for fees for attendance upon the trial of any habeas corpus case before any judge or court, and to authorize the commissioners' court of said county to pay the same out of the general fund of the county.

H. 1103. To amend section 9 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee in Colbert county, to establish and operate dispensaries in such incorporater cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in the said county, approved February 15th, 1907.

H. 1217. To amend section three of an act entitled "An act to authorize the solicitor of Jefferson county to employ a stenographer, and define his duties," approved December 10, 1900.

H. 988. To fix the time and place where the tax assessor of Morgan county, Alabama, shall keep his office and prescribing the number of rounds to be made by him in the county each year, for the purpose of assessing taxes and allowing him to fix the number of days to remain, in the several precincts for the purpose of assessing tax during the months of October and November in

each year, and requiring him to be at the court house of the county during the month of December in each year, and requiring him to be at the court house of the county during the month of December in each year for the purpose of assessing the taxes of the county.

H. 866. To extend and change the corporate limits of the town of Carrollton, in Pickens county, Alabama.

H. 984. To fix the salary of the associate judge of the city court of Montgomery.

H. 1179. To provide for the celebration of the one-hundredth anniversary of the battle of Tohopeka or Horse-shoe Bend, in 1814.

H. 1296. To authorize and empower the court of county commissioners of Butler county to employ a janitor for Butler county, who shall be under the control and direction of the sheriff of Butler county, to prescribe his duties and to provide for the payment of such janitor.

H. 1101. To amend an act entitled an act to fix the times and places of holding circuit court in the Seventh judicial circuit, approved Oct. 3, 1903.

H. 1290. To promote and secure the erection of factories for the purpose of manufacturing cement in the State of Alabama.

Ernest Lacy, Chairman.

The report of the committee was concurred in.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bills:

~~H. 1077. To allow all foreign corporations liable to an annual franchise tax to deduct from their actual capital employed, or to be employed in this State that part of such capital consisting of money loaned secured by recorded mortgages on real estate situated in this State.~~

H. 1055. For the relief of C. D. Horn; to authorize the court of county commissioners of Sumter county to

issue a new warrant in favor of said C. D. Horn in lieu of warrant No. 12216 which was barred before being presented for payment.

H. 1190. To repeal an act approved September the 30, 1903, entitled an act to provide a better system, and the more efficient working of the public roads of Bullock county.

H. 1040. For the relief of T. P. Southerland, treasurer of Winston county.

H. 1092. For the relief of J. W. Angle.

H. 1168. To amend sections 6 and 7 of an act entitled "An act to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers, their powers, duties and compensation; to fix the terms of said court; and to prescribe rules and procedure for said court," approved February 23d, 1907.

H. 786. To authorize the town of Brockton in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

H. 273. To fix the ex-officio fees of the clerks of the circuit court in the several counties of the State of Alabama, and to provide for the payment of same.

H. 930. To regulate the administration of the affairs of any municipal corporation which has been absorbed, or its government extinguished by the alteration or rearrangement of the boundary lines of another city or town.

Ernest Lacy, Chairman.

The report of the committee was concurred in.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following resolution:

Rules Committee:

H. R. 268. Resolved, that for today the morning session be extended till 6 o'clock p. m. and that the House recess from 1 till 3 p. m.

And the rules were suspended and the resolution was adopted.

MOTION TO TAKE FROM ADVERSE CALENDAR.

Mr. Sample called up his motion to take from the adverse calendar H. 332, and that said motion be postponed until the afternoon session.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order which was the bill:

H. 558. To regulate the employment of children in factories and manufacturing establishments in this State; to provide for inspection of factories and manufacturing establishments, for the enforcement of said regulations and for the punishment of violations thereof.

The question was upon the adoption of the substitute reported by the standing committee on Mining and Manufacturing. Mr. John moved that the rules be suspended, and that he be allowed to withdraw the substitute offered by the committee. Consent was granted and the substitute was withdrawn.

Mr. John offered the following substitute for the bill, said substitute being as follows:

Substitute for H. 558:

A BILL

To be entitled an act to regulate the employment of child labor in certain mills, factories and manufacturing establishments in this State, and to provide for the inspection of the rooms, places and premises wherein they are worked and to adequately punish violations of this act.

Sec. 1. Be it enacted by the Legislature of Alabama, That no child under twelve years of age shall be employed or permitted to work in or be in or about any mill, factory or manufacturing establishment in this State. One year after this bill becomes a law, no child between the ages of twelve and sixteen years shall be employed or be permitted to work or detained in or

about any mill, factory, or manufacturing establishment in this State unless such child shall attend school for eight weeks in every year of employment; six weeks of which shall be consecutive.

Sec. 2. No child under the age of fourteen years shall be so employed or detained in, or be in or about any mill, factory, or manufacturing establishment within this State for more than sixty hours in any one week.

Sec. 3. No child under sixteen years of age shall be employed or detained in, or be in or about any mill, factory, or manufacturing establishment within this State between the hours of seven o'clock p. m. and six o'clock a. m. Standard time, and no child over sixteen and under eighteen years of age shall be so employed or detained between said hours for more than eight hours in any one night.

Sec. 4. It shall be unlawful for any person, firm or corporation to employ, or detain in, or permit to work in, or be in or about any mill, factory, or manufacturing establishment any child under eighteen years of age, without first requiring said child to present on a blank furnished by the employer, the form of which shall be provided by the inspector, the affidavit of the parent or guardian or other person standing in parental relation to such child, stating the date and place of birth of said child. Such affidavit shall be filed by such employer within ten days after the employment of such child, in the office of the judge of probate of said county, and shall be numbered and labeled with the name of the child, and a complete index thereof made and preserved as other records in said office. For the services rendered the judge of probate shall receive from the county treasury ten cents for each such affidavit. A copy of said affidavit shall be forwarded, within ten days after the employment of such child, to the inspector, Montgomery, Alabama.

Sec. 5. Any person, firm or corporation who violates any of the provisions of this act, or who knowingly permits any child to be employed or detained in, or be in or about his, their or its mills, factory or manufacturing establishment, contrary to the provisions of this

act, shall be deemed guilty of a misdemeanor and, on conviction, shall be punished by fine of not less than fifty dollars, nor more than one hundred dollars, for each offense.

Sec. 6. Any person, firm, or corporation who violates any provision of this article or who employs any child, or knowingly permits any child to be employed, or to work in or about, or be detained in or be in or about any mill, factory or manufacturing establishment, contrary to law, or who fails or refuses to obey promptly every lawful order or direction given by the inspector under this law, must on conviction be fined not less than fifty dollars, nor more than one hundred dollars, and upon a second conviction, for any violation of this law, must be fined not less than one hundred nor more than five hundred dollars, and if a natural person be sentenced to hard labor for not more than six months, and any person who knowingly makes any false affidavit, when an affidavit is required hereby, is guilty of perjury.

Sec. 7. The inspector of jails and almshouses is charged with the duty of inspecting all mills, factories and manufacturing establishments wherein women and children work, and he must inspect every such mill, factory or manufacturing establishment at least four times a year, if practicable, without notice of his purpose to do so.

He shall thoroughly inspect such manufacturing establishments, and ascertain their sanitary condition, and whether a good supply of fresh drinking water and fresh air and suitable water-closets for the women and girls are provided, separate and apart from those for the use of boys and men, and particularly the ages and conditions of the children employed, at work in, or detained therein; and shall carefully examine all affidavits filed in the probate office under this law, and in connection therewith, the children named therein, and all other matters concerning the operation and condition of the manufacturing establishments in which children work, or are detained, or make written orders requiring correction of any defects in or about the mill,

or manufacturing establishment, and make written report to the governor of every examination of every manufacturing establishment inspected by him, and note every refusal or failure to comply with or observe the law, in any respect, which reports must be published annually.

Sec. 8. It shall be the duty of the inspector to remove from any mill, factory or manufacturing establishment any child found working or detained therein contrary to law, and to remove therefrom any child who is afflicted with any infectious, contagious or communicable disease. The judgment of the inspector as to the removal of any child shall be final and conclusive.

Sec. 9. It shall be the duty of the inspector to institute prosecutions against the owners, operators, managers and superintendents of any such mill, factory or manufacturing establishment, for every violation of law that they may discover, and to furnish to the solicitor of the circuit or county the names and addresses of all necessary witnesses.

Sec. 10. The inspector shall have free access at any time, to any mill, factory or manufacturing establishment wherein women and children work, or are detained and any person who refuses to allow the inspector to have free access to a manufacturing establishment and every part thereof, or who hinders or obstructs him in inspection, or makes any false or misleading statement to the inspector about the establishment, its operation or condition, or about any person working or detained therein, or who fails to have a plainly printed copy of this law posted up in the office and in every room in which any person works in the mill, factory or manufacturing establishment, must on conviction be fined not less than one hundred nor more than five hundred dollars, and on subsequent conviction be fined not less than five hundred dollars and may be sentenced to hard labor for not more than one year.

Sec. 11. Any owner or manager of a mill, factory or manufacturing establishment who disobeys any order of the inspector, removing a child from the mill, factory or manufacturing establishment; or who permits any

child who has been removed by the inspector to return to work therein, or to be in or about the mill, factory or manufacturing establishment without the written permission of the inspector, must on conviction be fined not less than fifty dollars nor more than one hundred dollars.

Sec. 12. The inspector of jails and almshouses is authorized to employ a competent clerk with the approval of the governor, who shall be authorized to perform the same duties as by law the inspector is authorized to perform and shall have and exercise the same powers under the direction of the inspector as the inspector has by law. The annual salary of the clerk of the inspector shall be eighteen hundred dollars, payable monthly out of the State treasury as clerks in the other departments are paid, and appropriation therefor is hereby made for the payment thereof.

Sec. 13. This act shall apply only to manufacturing establishments engaged in manufacturing or working in cotton, wool, clothing, tobacco, printing and binding, glass or any other kind of work that is injurious to health when carried on in doors.

Sec. 14. The inspector and the clerk of the inspector, when traveling in the performance of their duties hereunder, shall be reimbursed their actual traveling expenses, when approved by the governor, to be paid on the warrant of the State auditor.

Mr. Goodwyn offered the following amendment to the substitute:

Amend section one of substitute by adding thereto the following words: "provided that no girl under fourteen shall be so employed in any case."

On motion of Mr. Bloch, the amendment offered by Mr. Goodwyn was laid upon the table.

Yeas, 60; nays, 25.

Yeas:

Messrs:—

Speaker

Altman

Arrington

Ballard (Autauga)

Ballard (Pike)

Baltzell

Bloch

Brown

Bulger

Burney

Carmichael (Clay)

Coleman (Marshall)

Cooper	Lancaster	Price
Cranford	Lawson	Ragsdale
Crum	Lee (Barbour)	Rainer
Doyle (Clark)	Lee (Etowah)	Rattray
Dudley	Long (Butler)	Rowe
Edwards	Malone	Rushton
Elrod	Maner	Sample
Foster	Mastin	Sanford
Henley	Middleton	Seale
Hughston	Mitchell	Smith (Elmore)
John	Moore	Smith (Etowah)
Jones	McMillan	Smith (Franklin)
Killen	Oliver	Smith (Lee)
Kirby	Parker	Steagall
Kornegay	Powell (Bullock)	Turner
Lacy (Walker)	Power	Vann

—60.

Nays:

Messrs:—

Arnold	Haley	Powell (Covington)
Benners	Johnson	Pratt
Benson	King	Sanders
Cannon	Lovelady	Sherrod
Coleman (Lowndes)	Lyons	Tunstall
Doyle (Marengo)	Norville	Weaver
Glover	Pitts (Dallas)	White (Lamar)
Goodwyn	Pitts (Perry)	Williams
Gunter		

—25.

Mr. Goodwyn offered the following amendment to the substitute:

Amend section 12 by striking out the words "with the approval of the governor."

And the amendment was lost.

Mr. Pitts, of Perry, offered the following amendment to the substitute:

Amend the bill by adding after the word "authorized" in section 12 the words "appoint an assistant inspector with the approval of the governor," and by striking out the words "to employ a competent clerk."

On motion of Mr. Steagall the amendment offered by Mr. Pitts, of Perry, was laid upon the table.

Mr. Goodwyn offered the following amendment to the substitute:

Amend section 2 of substitute by striking out the word "sixty" wherever the same appears and inserting in lieu thereof the words "fifty-four."

On motion of Mr. Kornegay, the amendment offered by Mr. Goodwyn was laid upon the table.

Yeas, 50; nays, 36.

Yeas:

Messrs:—

Arrington	Henley	Oliver
Ballard (Autauga)	Hughston	Parker
Ballard (Pike)	John	Powell (Bullock)
Baltzell	Jones	Power
Barton	King	Price
Benners	Kirby	Rainer
Bloch	Kornegay	Rattray
Brown	Lancaster	Rowe
Bulger	Lawson	Rushton
Burney	Lee (Barbour)	Sample
Cooper	Long (Butler)	Sanford
Cranford	Maner	Smith (Elmore)
Crum	Mastin	Smith (Franklin)
Dudley	Mitchell	Smith (Lee)
Edwards	Moore	Steagall
Foster	McMillan	Turner
Fuller	Norville	

—50.

Nays:

Messrs:—

Speaker

Attman

Armstrong

Arnold

Benson

Cannon

Coleman (Lowndes)

Coleman (Marshall)

Cranford

Doyle (Clark)

Doyle (Marengo)

Elrod

Glover

Goodwyn

Gunter

Haley

Jenkins

Johnson

King

Lacy (Walker)

Lee (Houston)

Lyons

Malone

Peete

Pitts (Dallas)

Pitts (Perry)

Powell (Covington)

Pratt
Ragsdale
Sanders

Seale
Sherrod
Vann

Weaver
White (Lamar)
Williams

—36.

Mr. Tunstall offered the following amendment to the substitute:

Also amend by adding the following section:

“Section —. That the presence of any person whom it is made unlawful under the provisions of this act to be employed in or permitted to work in or remain in or be detained or be in any mill, factory or manufacturing establishment shall be prima facie evidence that such person is employed in or permitted to work in or remain in or detained in or be in such mill, factory or manufacturing establishment.”

Amend section 5 by striking out word “knowingly.”

On motion of Mr. Long (of Butler), the amendment offered by Mr. Tunstall, was laid upon the table.

Mr. Sherrod offered the following amendment to the substitute:

Amend section 12 of the bill by adding after the word clerk the following words “who shall devote his entire time to the inspecting of the cotton mills of Alabama.

On motion of Mr. Bloch, the amendment offered by Mr. Sherrod was laid upon the table.

And the substitute was adopted.

Yeas, 68; nays, 2.

Yeas:

Messrs:—

Speaker

Altman

Armstrong

Arnold

Avery

Ballard (Autauga)

Baltzell

Benness

Benson

Bloch

Bulger

Burney

Cooper

Cranford

Crum

Doyle (Clark)

Doyle (Marengo)

Foster

Fuller

Glover

Goodwyn

Gunter

Henley

Jenkins

John	Mastin	Rattray
Johnson	Mitchell	Rowe
Jones	Moore	Rushton
Killen	McMillan	Sanford
King'	Norville	Sherrod
Kirby	Oliver	Smith (Elmore)
Kornegay	Parker	Smith (Franklin)
Lacy (Walker)	Peete	Smith (Lee)
Lancaster	Pitts (Dallas)	Steagall
Lawson	Pitts (Perry)	Turner
Long (Butler)	Powell (Covington)	Vann
Lovelady	Pratt	Weaver
Lyons	Price	White (Lamar)
Malone	Ragsdale	Williams
Maner		

—68.

Nays:
Messrs:—

Haley

Lee (Houston)

—2.

And the bill:

H. 558. To regulate the employment of children in factories and manufacturing establishments in this State; to provide for inspection of factories and manufacturing establishments, for the enforcement of said regulations and for the punishment of violations thereof.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 73; nays, 3.

Yeas:

Messrs:—

Speaker	Benners	Crum
Altman	Benson	Doyle (Clark)
Armstrong	Bloch	Doyle (Marengo)
Arnold	Brown	Elrod
Arrington	Bulger	Fuller
Avery	Burney	Glover
Ballard (Autauga)	Carmichael (Clay)	Goodwyn
Ballard (Pike)	Coleman (Lowndes)	Gunter
Baltzell	Coleman (Marshall)	Haley
Barton	Cranford	Henley

Jenkins	Mitchell	Rowe
John	Moore	Rushton
Johnson	Norville	Sanders
Jones	Oliver	Seale
King	Parker	Sherrod
Kirby	Peete	Smith (Elmore)
Lacy (Walker)	Pitts (Dallas)	Smith (Franklin)
Lancaster	Pitts (Perry)	Steagall
Lawson	Powell (Bullock)	Tunstall
Lee (Barbour)	Powell (Covington)	Turner
Lee (Houston)	Pratt	Vann
Lovelady	Ragsdale	Weaver
Malone	Rainer	White (Lamar)
Maner	Ratray	Williams
Mastin		

—73.

Nays:

Messrs:—

Edwards

Power

Smith (Lee)

—3.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bills:

S. 61. To establish a colony for epileptics in Alabama, and to provide means for carrying the same into effect.

And sends same herewith to the House.

S. 547. To appropriate the sum of \$537.72 to pay the expenses of the Fertilizer and Cotton Seed Oil Mill Investigating Committee and for the disbursement of the same.

And sends same herewith to the House.

S. 572. To prohibit the sale, barter, exchange or giving away of vinous, spirituous or malt liquor or other intoxicating drinks or beverages in the county of Houston, in the State of Alabama and to provide for an offense and a penalty for the sale, barter, exchange or giving away of vinous, spirituous or malt liquor or oth-

er intoxicating drinks or beverages in said county of Houston.

And sends same herewith to the House with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the present Legislature of Alabama to reconvene on the 9th day of July, 1907, to pass the following law:

An act to prohibit the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages in the county of Houston, and to provide for an offense and a penalty for the sale, barter, exchange or giving away, of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages in the county of Houston.

Section 1. Be it enacted by the Legislature of Alabama, That on and after the passage of this act, it shall be unlawful to sell, give away, barter or exchange any vinous, spirituous or malt liquor, or other intoxicating beverages in the county of Houston; and the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages within the limits and bounds of the county of Houston is hereby prohibited.

Section 2. Be it further enacted that any person, firm, or corporation who shall sell, barter, exchange or give away any spirituous, vinous or malt liquor, or other intoxicating drinks or beverages, within the limits and bounds of the county of Houston, shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than one hundred dollars, and may also be sentenced to hard labor for the county for not less than thirty days, nor more than one year; one, or both, at the discretion of the judge presiding on the trial of the case.

Section 3. Be it further enacted that all laws and parts of laws, in conflict herewith be and the same are hereby repealed.

B. W. Clendinen, W. C. Strickland, T. J. Herring, W. R. Flowers, W. I. Johnson, J. R. McCanty, J. D. Prevatt, J. R. Keyton, M. Cherry, George Cotton, S. M. Brown, J. D. Flowers, J. V. Brown, G. H. Malone, N. H. McCallum, R. C. Williams, R. T. McDavid, F. B. Culver, R. W. Lisenby, E. R. Malone.

The State of Alabama, }
Houston County. }

Before me, Nannie E. McAliley, a notary public in and for said county, came W. F. Ussery, who, being sworn says, that he is the editor and publisher of the Wire Grass Siftings; and that the said Wire Grass Siftings is a newspaper published in Dothan, in Houston county, Alabama; and that the notice hereto attached, marked exhibit "A" was published in the said Wire Grass Siftings once a week for four consecutive weeks before the making of this affidavit, and in the weekly issues of the said Wire Grass Siftings in the months of June and July, 1907.

W. F. Ussery.

Sworn to and subscribed before me, this 15th day of July, 1907. Nannie McAliley, Notary Public.

S. 196. To provide for the election of only one justice of the peace for each precinct within or partly within the city of Montgomery; and to define the powers and jurisdiction of said justices of the peace.

And sends same herewith to the House, with notice and proof attached and herewith exhibited as follows:

JUSTICE BILL.

Notice is hereby given that a bill will be introduced in the next Legislature of Alabama: To provide for the election of only one justice of the peace for each precinct within, or partly within the city of Montgomery;

and to define the powers and jurisdiction of said justices of the peace.

Chas. B. Teasley.

The State of Alabama, }
Montgomery County. }

Before me, Susama B. Elmore, a notary public, in aforesaid county and State, personally appeared F. H. Miller, general manager of the Montgomery Journal, a newspaper published in the State and county of Montgomery, Alabama, and being duly sworn says that a notice, of which the attached is a true copy, was published in said newspaper, once a week for four weeks and being in the issue of said newspaper on the following dates, namely December 26th, 1906, and January 2nd, 9th, and 16th, 1907.

Signed F. H. Miller, Gen'l. Mgr.

Sworn to and subscribed before me this the 23rd day of January, 1907.

Susama B. Elmore, Notary Public.

J. A. Kyle,
Secty.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message, were read one time and referred to appropriate standing committee, as follows:

Public Health, S. 61.
Appropriations, S. 547.
Temperance, S. 572.
Local Legislation, S. 196.

BILLS ON THIRD READING.

S. 500. To fix the time of holding courts in the Third judicial circuit of Alabama.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Oliver
Armstrong	Glover	Parker
Arnold	Gunter	Peete
Arrington	Haley	Powell (Bullock)
Avery	Jenkins	Powell (Covington)
Ballard (Autauga)	John	Power
Barton	Jones	Pratt
Benners	King	Rowe
Benson	Kirby	Sanders
Brown	Lacy (Walker)	Seale
Bulger	Lancaster	Sherrod
Burney	Lawson	Smith (Franklin)
Cannon	Lee (Barbour)	Smith (Lee)
Carmichael (Clay)	Long (Butler)	Steagail
Coleman (Lowndes)	Lovelady	Tunstall
Crum	Lyons	Turner
Doyle (Clark)	Maner	Weaver
Edwards	Mitchell	White (Lamar)
Elrod	McMillan	

—56.

H. 1322. To provide for compulsory pilotage on all vessels and craft crossing the outer bar of the Mobile bay, except vessels engaged in American coastwise trade, and to repeal all laws in conflict herewith.

Was read a third time, at length, and passed.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Elrod
Altman	Bulger	Fuller
Armstrong	Burney	Goodwyn
Arnold	Cannon	Gunter
Arrington	Carmichael (Clay)	Henley
Avery	Coleman (Lowndes)	Jenkins
Ballard (Autauga)	Coleman (Marshall)	John
Ballard (Pike)	Cranford	Johnson
Barton	Crum	Jones
Benners	Doyle (Clark)	King

Kirby	Mastin	Pratt
Lacy (Walker)	Mitchell	Rowe
Lancaster	Moore	Rushton
Lawson	McMillan	Sanders
Lee (Barbour)	Norville	Smith (Elmore)
Long (Butler)	Oliver	Steagall
Lee (Houston)	Parker	Turner
Lovelady	Peete	White (Lamar)
Lyons	Powell (Bullock)	Williams
Maner	Powell (Covington)	

—60.

On motion of Mr. Norvill, the bill, H. 1322, was ordered sent to the Senate without engrossment.

H. 916. To establish a high school for Dale county. Was read a third time, at length, and lost.

Yeas, 22; nays, 33.

Yeas:

Messrs:—

Speaker	Lancaster	Pitts (Dallas)
Altman	Lawson	Rattray
Gunter	Lee (Houston)	Smith (Elmore)
Hughston	Long (Butler)	Steagall
Jenkins	Lovelady	Tunstall
John	Lyons	Williams
King	Mitchell	
Kirby	Norville	

—22.

Nays:

Messrs:—

Avery	Johnson	Pratt
Ballard (Autauga)	Killen	Ragsdale
Ballard (Pike)	Malone	Rainer
Barton	Mastin	Rushton
Burney	Moore	Sample
Cannon	Oliver	Sanders
Carmichael (Clay)	Parker	Sherrod
Crum	Peete	Smith (Etowah)
Edwards	Powell (Bullock)	Smith (Franklin)
Elrod	Powell (Covington)	Weaver
Fuller	Power	White (Lamar)

—33.

H. 1206. To make an enumeration, or census, of the confederate soldiers residing in the State of Alabama, and provide for the payment therefor.

Was read a third time, at length, and passed.

Yeas, 57; nays, 1.

Yeas:

Messrs:—

Speaker	Fuller	Oliver
Alford	Glover	Parker
Altman	Goodwyn	Peete
Ballard (Autauga)	Gunter	Pitts (Dallas)
Ballard (Pike)	Haley	Power
Baltzell	Hughston	Ragsdale
Barton	Jenkins	Rainer
Benness	John	Rattray
Benson	Killen	Rowe
Bloch	King	Rushton
Burney	Lee (Etowah)	Sample
Cannon	Lovelady	Sanders
Carmichael (Clay)	Lyons	Smith (Elmore)
Coleman (Lowndes)	Maner	Smith (Franklin)
Coleman (Marshall)	Mastin	Steagall
Cooper	Mitchell	Turner
Cranford	Moore	Weaver
Crum	McMillan	White (Lamar)
Edwards	Norville	Williams

—57.

Nays:

Mr. Sherrod

—1.

On motion of Mr. John, the bill, H. 1206, was ordered sent to the Senate without engrossment.

H. 1108. To amend section 1 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved February 10th, 1899.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:
Messrs:—

Speaker	Glover	Peete
Alford	Goodwyn	Pitts (Dallas)
Armstrong	Haley	Pitts (Perry)
Arnold	Henley	Power
Avery	Hughston	Pratt
Ballard (Autauga)	John	Ragsdale
Ballard (Pike)	Johnson	Rainer
Baltzell	Killen	Rowe
Benners	Kirby	Rushton
Bloch	Lee (Etowah)	Sample
Brown	Lovelady	Sanders
Bulger	Lyons	Seale
Burney	Malone	Sherrod
Cannon	Maner	Smith (Elmore)
Coleman (Lowndes)	Mastin	Smith (Etowah)
Coleman (Marshall)	Mitchell	Smith (Franklin)
Cooper	Moore	Steagall
Cranford	McMillan	Tunstall
Crum	Norville	Weaver
Edwards	Parker	White (Lamar)
Fuller	Pearson	

—62.

On motion of Mr. Pitts, of Dallas, the bill, H. 1108, was ordered sent to the Senate without engrossment.

Mr. Mastin called up his motion to take from the adverse calendar House bills Nos. 349 and 178, and asked that his motion be postponed until after the disposition of S. 509.

RESOLUTION.

The following resolution was introduced and referred to the committee on Rules:

By Mr. Lee, of Houston:

H. J. R. 287. Resolved by the House, the Senate concurring, that the governor be and he is hereby requested to return to the House, House bill No. 810.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills have examined the following House bills and beg leave to report the same correctly enrolled:

H. 690. To require the county board of education of Wilcox county to audit and pass upon the accounts of the district trustees of the several school districts in Wilcox county of the funds paid over to them by the superintendent of education of Wilcox county, arising out of the dispensary at Camden to be used by them for school purposes.

H. 1033. Providing for the more efficient working of the public roads in Wilcox county; to provide for the revenues for the same including a vehicle license; to divide the county into five road districts and to appoint and elect road supervisors and overseers for the same; to provide for the appointment of one civil engineer; to provide for a commutation of \$7.50 per capita in lieu of work; and such other details as may be necessary for the working of the public roads in Wilcox county.

H. 960. To amend section 1 of an act entitled an act "To aid and encourage technical education in the State of Alabama and the providing for the erection and equipment and increased facilities at the Alabama Polytechnic Institute," approved March 2, 1907, so as to read as follows.

H. 932. To vacate and annul as a public street or highway that part of Seventh or Twenty-third street in the town of North Birmingham, Alabama, which lies northwestwardly of the northern line of avenue A or Thirty-sixth avenue, and southwestwardly of the southern line of avenue B or Thirty-seventh avenue, and to extinguish and annul the dedication thereof.

H. 912. To repeal an act entitled an act "To constitute a board of jury commissioners for Crenshaw county, approved February 7th, 1899."

H. 897. To change the boundary line between the counties of Cleburne and Calhoun.

H. 687. To repeal all statutes and laws establishing county courts and proceedings therein with monthly terms for the trial of misdemeanors, (Code 4593 et seq.) so far as the county of Madison is concerned.

H. 686. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23rd, 1899, Acts 1898-99, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act, and all dockets and records thereof, to the law and equity court of Madison county, and to give such court jurisdiction of such causes and proceedings and full power and authority thereover.

H. 761. To extend the police power and jurisdiction of the city of Sylacauga over and about the property and premises of the Central Mills, a corporation under the laws of Alabama, in the vicinity of said city in the county of Talladega, and to empower the corporate authority to exercise police jurisdiction over the said Central Mills property, and within the limits of one hundred and fifty feet from the boundary lines thereof.

H. 964. To amend sections 5 and 15 of an act entitled "An act to establish the Lee county court of law and equity, prescribe its jurisdiction and powers, its rules of practice and procedure, provide for the selection of its officers; prescribe their powers, duties, compensation and term of office; fix the time of holding said court, and provide for fees, commissions, fines, forfeiture and juries in said court; provide for supplies for said court, and repeal conflicting laws," approved the 5th day of March, 1907.

H. 562. To regulate the practice of pharmacy and the sale of poisons in the cities and towns of more than nine hundred inhabitants in the State of Alabama, and ~~fixing the penalty for violations thereof, and to repeal~~ chapter 89 of the civil Code of Alabama, 1896, and section 5335 of the criminal Code of Alabama, 1896, and all other laws in conflict with the provisions of this act.

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the committee on Engrossed Bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills:

S. 375. To repeal an act entitled an act to incorporate the town of Hayneville.

S. 385. To authorize the county of Limestone to construct public roads and to provide the method and manner of their construction and building.

S. 439. To appropriate the sum of thirty (\$30.00) dollars for the relief of C. R. Gibson as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll as being dead, and to reinstate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved February 10th, 1899.

S. 440. To appropriate the sum of thirty (\$30.00) dollars for the relief of I. Moody as a confederate pensioner for the year 1906, his name having been erroneously omitted from the pension roll, and to reinstate him upon the pension roll of Pike county as a pensioner under the act for the relief of needy confederate soldiers and their widows, approved February 10, 1899.

S. 445. To fix and provide for the salary of the judge of the city court of Selma.

S. 482. To regulate the practice in the circuit court of Walker county, Alabama; to provide rules of practice

for said court, and to provide for drawing juries for said court.

Your signature thereto is requested.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Senate message.

RECESS.

The hour of one o'clock having arrived, under a resolution heretofore adopted, the House recessed until 3 o'clock p. m.

AFTERNOON SESSION.

The hour of 3 o'clock having arrived, the House reconvened.

PRIVILEGES OF THE FLOOR

Were granted to Hon. J. M. Walton, of Chambers county; Hon. John T. Heflin, of Randolph; Hon. O. R. Hood, and Hon. J. D. Dunlap, of Gadsden, for today.

LEAVE OF ABSENCE

Was granted to Mr. White, of Perry, for today.

RESOLUTION.

Mr. John offered the following resolution, and asked immediate consideration:

H. R. No. 290. Resolved, that the municipal code bill be read by sections for amendment, and whenever a section is approved, that shall be its third reading, so as to save time of rereading the bill at length.

On motion of Mr. Long, of Butler, the resolution was laid upon the table.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill,

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, power, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

Mr. Long, of Butler, offered the following amendment to the bill S. 509.

"Amend section 2 by adding the words, any municipal officer or officers elected after the passage of this act prior to Jan. 1, 1908, shall hold office until the first Monday in Oct., 1910, or until their successors are elected and qualified."

Mr. Gunter moved to table the amendment offered by Mr. Long, of Butler, and the motion to table was lost.

And the amendment offered by Mr. Long, of Butler, was adopted.

Yeas, 46; nays, 17.

Yeas:

Messrs:—

Arnold	Doyle (Marengo)	Lacy (Walker)
Avery	Edwards	Lawson
Ballard (Autauga)	Foster	Lee (Barbour)
Ballard (Pike)	Henley	Long (Butler)
Baltzell	Hughston	Mastin
Barton	Jenkins	Middleton
Benners	John	Mitchell
Benson	Johnson	Moore
Brown	Jones	McMillan
Burney	King	O'iver
Cannon	Kirby	Pearson
Crum	Kornegay	Peete

Powell (Bullock)	Rowe	Steagall
Rainer	Sanders	Turner
Rattray	Sanford	White (Perry)

—46.

Nays:

Messrs:—

Speaker	Lee (Etowah)	Ragsdale
Barton	Malone	Sample
Fuller	Norville	Sherrod
Gunter	Parker	Smith (Franklin)
Haley	Pitts (Dallas)	Weaver
Lancaster	Price	

—17.

Mr. Vann offered the following amendment to the bill:

Amend section 15 of the bill by adding at the end of such section, "provided in towns of less than two thousand inhabitants by order of the council thereof there shall be only one voting place in said town for any municipal election therein.

On motion of Mr. Gunter, the amendment offered by Mr. Vann was laid upon the table.

Mr. John offered the following amendment to the bill:

Insert after the word ward in the 8th line of section 16 the words "to be elected by the qualified electors of the several wards voting separately in every ward."

Strike out of the 12th line of section 16 the words "one hundred" and insert the word "fifty" before the word thousand.

Amend by adding to section 16 the words, "Whenever the population of any city exceeds fifty thousand, the council may increase the number of wards, and aldermen therefor, a ward for every four thousand population over fifty thousand.

And the amendment was adopted.

Yeas, 60; nays, 6.

Yeas:**Messrs:—**

Speaker	Glover	Parker
Altman	Goodwyn	Pearson
Armstrong	Gunter	Peete
Arnold	Haley	Pitts (Dallas)
Avery	Henley	Pitts (Perry)
Ballard (Pike)	Hughston	Powell (Bullock)
Baltzell	John	Ptwell (Covington)
Barton	Johnson	Power
Benners	Jones	Rainer
Benson	Killen	Rattray
Brown	Kirby	Rowe
Burney	Kornegay	Rushton
Cannon	Lancaster	Sanders
Carmichael (Clay)	Lawsou	Sanford
Coleman (Lowndes)	Lee (Barbour)	Smith (Elmore)
Coleman (Marshall)	Lovelady	Steagall
Crum	Middleton	Turner
Doyle (Clark)	Moore	Vann
Doyle (Marengo)	McMillan	Weaver
Foster	Oliver	White (Lamar)

—60.

Nays:**Messrs:—**

Cooper	Maner	Edwards
Cranford	Norville	Sherrod

—6.

Mr. Maner offered the following amendment to the bill:

Amend section 97 on page 52 of the printed bill by striking out the words "or amounts of sales or receipts" where they occur on line 6 thereof.

Also amend section 97 on page 53 of the printed bill by striking out the words "or amounts of sales or receipts" where they occur on line 8 thereof.

On motion of Mr. Gunter, the amendment offered by Mr. Maner was laid upon the table.

Mr. Rushton offered the following amendment to the bill:

"Amend section 38 by striking out of line 9 and 10 the following words, one hundred dollars (\$100.00), and insert in lieu thereof, fifty dollars (\$50.00).

"Also amend by striking out of section 159 all of said section after the words 'vagrants or otherwise,' in line 2."

And the amendment was adopted.

Yeas, 49; nays, 12.

Yeas:

Messrs:—

Speaker	Foster	Pearson
Armstrong	Fuller	Peete
Avery	Henley	Pitts (Dallas)
Ballard (Autauga)	John	Pitts (Perry)
Ballard (Pike)	Johnson	Power
Benners	Jones	Price
Benson	Kirby	Ragsdale
Brown	Lancaster	Rattray
Bulger	Lawson	Rowe
Burney	Lee (Barbour)	Rushton
Cannon	Lovelady	Sanford
Carmichael (Clay)	Maner	Sherrod
Coleman (Lowndes)	Middleton	Smith (Elmore)
Coleman (Marshall)	Mitchell	Turner
Crum	Moore	White (Lamar)
Doyle (Clark)	McMillan	
Edwards	Oliver	

—49.

Nays:

Messrs:—

Cooper	Goodwyn	Gunter
Hughston	Lacy (Walker)	Long (Butler)
Parker	Powell (Covington)	Rainer
Sample	Smith (Franklin)	Norville

—12.

Mr. Kirby offered the following amendment to the bill:

"Amend section 120 by striking out the entire section."

On motion of Mr. Sherrod, the amendment offered by Mr. Kirby was laid upon the table.

Mr. Kirby offered the following amendment to the bill:

Amend section 120, by adding: Provided, this section shall not apply to cities of less than twenty thousand inhabitants.

On motion of Mr. Gunter, the amendment offered by Mr. Kirby was laid upon the table.

Mr. Lacy, of Walker, offered the following amendment to the bill:

Amend section 17 of said act by adding at the end of said section the words: Provided, that in cities or towns having a population of less than three thousand (3,000) there shall be no recorder, but in such cities and towns all trials for violations of town ordinances shall be had before the mayor of such city or town or, if, by reason of absence, sickness or other cause, the trial cannot be had by such mayor, then such trial must be had before or by an alderman of such city or town.

Mr. Gunter moved to table the amendment offered by Mr. Lacey, of Walker, and the motion to table was lost.

And the amendment offered by Mr. Lacey, of Walker, was adopted.

Yeas, 43; nays, 27.

Yeas:

Messrs:—

Armstrong	Coleman (Marshall)	Lawson
Arnold	Doyle (Clark)	Lee (Barbour)
Ballard (Autauga)	Doyle (Marengo)	Malone
Ballard (Pike)	Edwards	Maner
Benners	Elrod	Mitchell
Benson	Foster	Moore
Bloch	Glover	McMillan
Bulger	Haley	Oliver
Cannon	Jenkins	Peete
Carmichael (Clay)	John	Pitts (Perry)
Coleman (Lowndes)	Lacy (Walker)	Powell (Bullock)

Power	Sample	Turner
Ragsdale	Steagall	Vann
Rattray	Tunstall	White (Lamar)
Rowe		

—43.

Nays:

Messrs:—

Speaker	Jones	Pearson
Burney	Killen	Pitts (Dallas)
Cooper	Lancaster	Powell (Covington)
Cranford	Lee (Houston)	Price
Crum	Long (Butler)	Rainer
Goodwyn	Mastin	Rushton
Gunter	Middleton	Sherrod
Hughston	Norville	Smith (Elmore)
Johnson	Parker	Weaver

—27.

Mr. Arnold offered the following amendment to the bill:

Amend by adding to the bill at the end thereof the following: Sec. 200. That all laws and parts of laws both general and special, in conflict herewith, be, and the same are, hereby repealed.

And the amendment offered by Mr. Arnold was adopted.

Yeas, 61; nays, 0.

Yeas:

Messrs:—

Speaker	Cooper	Jenkins
Arnold	Crum	John
Ballard (Autauga)	Doyle (Clark)	Johnson
Ballard (Pike)	Doyle (Marengo)	Jones
Benners	Edwards	Killen
Brown	Elrod	Kirby
Bulger	Fuller	Lacy (Walker)
Burney	Glover	Lawson
Cannon	Goodwyn	Lee (Barbour)
Carmichael (Clay)	Gunter	Lee (Houston)
Coleman (Lowndes)	Haley	Long (Butler)
Coleman (Marshall)	Hughston	Maner

Mastin	Powell (Bullock)	
Mitchell	Powell (Covington)	Sample
Moore	Power	Sanders
McMillan	Price	Sherrod
Oliver	Ragsdale	Smith (Elmore)
Parker	Rainer	Turner
Pearson	Rattray	Weaver
Peete	Rowe	White (Lamar)
Pitts (Dallas)	Rushton	

—61.

Mr. John offered the following amendment to the bill:

“Amend Sec. 110 by striking out the words ‘register in chancery’ wherever they occur and insert the words ‘probate judge.’”

Mr. Gunter moved to table the amendment offered by Mr. John, and the motion to table prevailed.

Mr. John offered the following amendment to the bill:

Sec. 201. Any officer, alderman, or employee of any municipality who is in or who takes or accepts employment from or under any person, firm or corporation who owns, or operates any franchise granted by law, to operate or maintain any street railway, electric light or power company, gas, or steam heating plant, or water company or other public utility within the municipality or granted thereby, must on conviction be fined not less than five hundred nor more than one thousand dollars, and may be sentenced to hard labor, for not more than six months.

And the amendment was adopted.

Yeas, 52; nays, 16.

Yeas:

Messrs:—

Speaker	Ballard (Autauga)	Burney
Altman	Ballard (Pike)	Cannon
Armstrong	Barton	Carmichael (Clay)
Arnold	Benners	Coleman (Marshall)
Avery	Brown	Cooper

Crum	Malone	Price
Elrod	Maner	Ragsdale
Foster	Mastin	Rainer
Glover	Mitchell	Rattray
Haley	Moore	Rowe
Henley	Oliver	Rushton
John	Pearson	Sample
Johnston	Peete	Sanders
Jones	Pitts (Dallas)	Sanford
Lacy (Walker)	Pitts (Perry)	Steagall
Lawson	Fowell (Bullock)	Turner
Lee (Barbour)	Power	White (Lamar)
Lovelady		

—52.

Nays:

Messrs:—

Benson	Lee (Houston)	Seale
Coleman (Lowndes)	Long (Butler)	Sherrod
Edwards	Lyons	Smith (Elmore)
Goodwyn	Parker	Smith (Franklin)
Gunter	Powell (Covington)	Weaver
Hughston		

—16.

And the bill:

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

As amended, was read a third time, at length, and passed.

Yeas, 60; nays, 6.

Yeas:

Messrs:

Speaker	Baltzell	Burney
Altman	Barton	Cannon
Armstrong	Benners	Carmichael (Clay)
Avery	Benson	Coleman (Lowndes)
Ballard (Autauga)	Bloch	Coleman (Marshall)
Ballard (Pike)	Brown	Cooper

Cranford	King	Pearson
Crum	Kirby	Pitts (Dallas)
Doyle (Clark)	Lacy (Walker)	Powell (Bullock)
Doyle (Marengo)	Lancaster	Powell (Covington)
Edwards	Lawson	Power
Foster	Lee (Barbour)	Rainer
Fuller	Lee (Houston)	Rattray
Glover	Long (Butler)	Rushton
Goodwyn	Lovelady	Sanders
Gunter	Lyons	Sherrod
Haley	Maner	Smith (Elmore)
Jenkins	Mastin	Smith (Franklin)
Johnson	Moore	Turner
Jones	Parker	White (Lamar)

—60.

Nays:

Messrs:—

Elrod	Mitchell	Seale
John	Oliver	Vann

—6.

Mr. Gunter moved to reconsider the vote by which the bill, S. 509, was passed and on motion of Mr. Sherrod, the motion to reconsider was laid upon the table.

REPORT OF RULES COMMITTEE.

Mr. John, from the standing committee on Rules, returned to the House the following resolution with a favorable report:

By Mr. Lee, of Houston:

H. J. R. No. 287. Resolved by the House, the Senate concurring, that the governor be and he is hereby requested to return to the House H. B. 810.

And the resolution was adopted.

RESOLUTIONS.

The following resolutions were introduced and referred to appropriate standing committee, as follows:

By Mr. Pitts, of Perry:

H. J. R. 288. Joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence to have money appropriated to open and clean out the Cahaba river to navigation of flat-boats and barges from the Alabama river to Centreville in Bibb county, Alabama; also to make a survey of the Cahaba river from Centreville, Alabama, to the mouth of Schultz creek to such point up said creek as the surveyors may deem expedient for the purpose of locking and damming same.

Whereas, the Cahaba river has been by Congress declared a public waterway from its mouth to Centreville in Bibb county, Alabama, and was for many years navigated by steamboats and barges.

And whereas, said stream has become unnavigable by reason of a few shoals and large deposits of driftwood and debris formed by suction of matter from beneath such drifts;

And whereas, the opening of the Cahaba river and its tributary would be of incalculable value to the country contiguous thereto, as well as to the United States in the way of transportation of coal, iron, etc., therefore

Resolved, by the House, the Senate concurring, That our Senators and Representatives be instructed to use their earnest efforts to secure a donation of money from the Federal government to aid in cleaning, deepening, surveying and locking and damming said Cahaba river, from its mouth to Centreville in Bibb county, Alabama, and to surveying, locking and damming of Schultz creek from its mouth to some point to be designated by the surveyor.

Federal Relations.

By Mr. McMillan:

H. R. 289. Resolved, that Senate bill No. 441 be made a special, continuing order for Thursday, July 24th. Relates to repealing the 2 year clause in local option bill.

Rules.

BILLS ON THIRD READING.

H. 1307. For the relief of tobacco dealers other than dealers who conduct tobacco and cigar stands, who have paid the license tax under the bill approved March 7th, 1907, entitled an act to better provide for the revenue of the State.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Elrod	Oliver
Arnold	Foster	Parker
Avery	Glover	Peete
Ballard (Autauga)	Goodwyn	Pitts (Perry)
Ballard (Pike)	Gunter	Powell (Bullock)
Baltzell	Haley	Powell (Covington)
Barton	Henley	Power
Benners	Hughston	Price
Benson	Johnson	Rainer
Brown	Jones	Rattray
Bulger	King	Rowe
Burney	Lacy (Walker)	Rushton
Cannon	Lancaster	Sample
Carmichael (Clay)	Lawson	Sanders
Coleman (Lowndes)	Lee (Barbour)	Sherrod
Coleman (Marshall)	Lee (Houston)	Smith (Etowah)
Cooper	Long (Butler)	Smith (Franklin)
Crum	Lovelady	Tunstall
Doyle (Clark)	Maner	Turner
Doyle (Marengo)	Mitchell	White (Lamar)
Edwards	Moore	

—62.

On motion of Mr. Brown, the bill, H. 1307, was ordered sent forthwith to the Senate without engrossmentt.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bills:

H. 1178. To establish and regulate the Sylacauga division of the circuit court of Talladega county, confer upon it chancery jurisdiction, define the territorial limits of its jurisdiction, fix the time and place for holding said court; provide for drawing and empanelling juries therein and prescribe the liability of persons residing within its territorial jurisdiction to jury service and the rules of procedure in said court.

H. 1017. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads, and the necessary bridges, culverts and drainways therefor, and to issue bonds of said county to aid in the construction and building thereof.

H. 1018. To authorize an election in the county of Talladega, to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building macadam, chert and gravel public roads therein.

H. 885. To amend an act entitled "An act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within one mile of Old Mount Zion Baptist church, Barbour county," approved February 9th, 1897, and to provide a penalty for the violation of this act.

H. 235. To regulate hunting upon, or shooting in ~~or across~~ the enclosed field, pasture, or other enclosure ~~owned by or in possession of another in Walker county,~~ Alabama.

H. 1053. To alter and rearrange the boundaries of the town of Pollard, extending the corporate limits of said town.

H. 1162. To amend an act entitled an act to provide for holding separate terms of the circuit court for Coffee county in the Twelfth judicial circuit at Enterprise,

for the following portions of Coffee county, to-wit: Township 3, range 22; township 4, range 22; township 5, range 22; township 3, range 21; township 4, range 21; the east one half of township 3, range 20; the following sections in township four, range 20, to-wit: 13, 22, 23, 24, 25, 26, 27, 34, 35, 36; and all that portion of the territory in township 6, range 22; township 7, range 22; township 5, range 21; township 6, range 21, lying south of Pea river, and to regulate the holding of such court; to provide buildings and accommodations therefor, making its jurisdiction within such district exclusive of the jurisdiction it exercises when sitting at Elba, in said county of Coffee; defining the powers of the judge and clerk thereof, and regulating the drawing of its grand and petit jurors, and providing for the transfer of causes from the circuit court at Elba to said court held at Enterprise and from the latter to the former, approved February 28th, 1907.

H. 1272. To provide for the transfer of civil causes pending in the circuit court of Morgan county, Alabama, to the Morgan county law and equity court, and to provide for the trial of said causes so transferred.

H. 1274. To authorize and empower the county treasurer of Morgan county, Alabama, to pay all jurors, grand and petit, and all bailiffs, janitors and other proper officers of the Morgan county law and equity court of Morgan county, Ala., except the salary of the judge of said court, and to pay for the supplies, records, furniture, stationery and fixtures for said court, and to provide for his compensation therefor.

H. 1139. To repeal an act entitled "An act to better provide for the working and maintaining of the public roads of Chambers, Lamar, Lawrence, Lowndes, Clay and Cleburn counties," approved February 18th, 1899, so far as the same relates to Lamar county.

H. 929. To alter or rearrange the boundary lines of the city of Birmingham, Alabama.

Ernest Lacy, Chairman.

The report of the committee was concurred in.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bill:

H. 558. To regulate the employment of child labor in certain mills, factories and manufacturing establishments in this State, and to provide for the inspection of the rooms, places and premises wherein they are worked and to adequately punish violations of this act.

Ernest Lacy, Chairman.

The report of the committee was concurred in.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in H. J. R. No. 284, and returns to the House herewith said bill, H. 883.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Foster, the bill, H. 883, was re-committed to the standing committee on Local Legislation.

MOTION TO TAKE FROM ADVERSE CALENDAR.

Mr. Mastin called up his motion to take from the adverse calendar H. 349, and refer the same to a committee of the whole House.

Mr. Long, of Butler, moved that the motion to take the bill, H. 349, from the adverse calendar be laid upon the table, and the motion to table prevailed.

Yeas, 40; nays, 26.

Yeas:

Messrs:—

Avery

Ballard (Autauga)

Ballard (Pike)

Baltzell

Barton

Benners

Brown

Bulger

Carmichael (Clay)

Cooper	Long (Butler)	Price
Cranford	Lyons	Rainer
Crum	Middleton	Rattray
Doyle (Clark)	McMillan	Rowe
Doyle (Marengo)	Parker	Rushton
Edwards	Pearson	Sanders
Glover	Pitts (Dallas)	Sherrod
Hughston	Powell (Bullock)	Smith (Elmore)
Johnson	Powell (Covington)	Steagall
Jones	Pcwer	Turner
King		

—40.

Nays:

Messrs:—

Speaker	John	Oliver
Bloch	Killen	Peete
Burney	Lawson	Pitts (Perry)
Coleman (Lowndes)	Lee (Barbour)	Ragsdale
Foster	Lee (Houston)	Sample
Fuller	Maner	Smith (Franklin)
Goodwyn	Mastin	Tunstall
Gunter	Mitchell	White (Lamar)
Haley	Norville	

—26.

ADJOURNMENT.

The hour of 6 o'clock having arrived, under the rules the House stood adjourned until 8 p. m.

NIGHT SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll, the following members answered to their names:

Messrs:—

Speaker	Arnold	Ballard (Autauga)
Alford	Arrington	Baltzell
Armstrong	Avery	Barton

Benson	Jenkins	Pitts (Perry)
Bloch	John	Powell (Bullock)
Brown	Johnson	Powell (Covington)
Cannon	Killen	Pratt
Coleman (Lowndes)	King	Price
Coleman (Marshall)	Lacy (Walker)	Rainer
Cooper	Lawson	Rattray
Cranford	Lee (Etowah)	Rowe
Crum	Lee (Houston)	Rushton
Doyle (Marengo)	Long (Butler)	Sample
Dudley	Lovelady	Sanford
Edwards	Malone	Seale
Elrod	Maner	Sherrod
Foster	Mastin	Smith (Elmore)
Fuller	Mitchell	Smith (Franklin)
Glover	Moore	Smith (Lee)
Goodwyn	McMillan	Steagall
Gunter	Norville	Tunstall
Haley	Oliver	Turner
Henley	Parker	Vann
Hoffman	Peete	Weaver
Hughston	Pitts (Dallas)	Williams

—75.

A quorum was present.

PRIVILEGES OF THE FLOOR

Were extended to Hon. E. D. Moore, of Montgomery, for the night session.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed:

S. 592. To amend section 1 of an act entitled an act to alter, re-arrange and extend the corporate limits of the city of Mobile, Alabama, approved March 2, 1907.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

To whom it may concern :

This is to give notice that at the reconvened session of the Legislature of Alabama, to be held during July, 1907, there will be introduced a bill to amend section 1 of the act passed by the said Legislature of Alabama, and approved March 2, 1907, said act being entitled "An act to alter, re-arrange and extend the corporate limits of the city of Mobile, Alabama," by changing said section 1 to read as follows:

"That from and after the passage of this act, the corporate limits of the city of Mobile, Alabama, shall be altered, re-arranged and extended as follows:

"Commencing at the north bank of Three Mile creek at its mouth, thence running east to the east bank of Spanish river, thence down the east bank of said river to the extreme southern point of the island, thence south to a point which will intersect the south boundary of township No. 4, thence west to a point where a north line will strike the Three Mile creek at the old portage, thence down the left bank of said Three Mile creek to the place of beginning."

The State of Alabama, }
County of Mobile. }

Before me, Robert J. McCleery, a notary public, in and for said county and State, personally appeared Michael P. Dowling, known to me to be the book-keeper of the Item Publishing Company, who being by me first duly sworn, deposes and says on oath, that he is the book-keeper of the Item Publishing Company; that the Item Publishing Company publishes the Mobile Daily Item, which is a daily newspaper, published in the city of Mobile, county of Mobile, State of Alabama; and affiant further says on oath that the following printed notice, pasted to this affidavit, was published once a week for four consecutive weeks in the Mobile Daily Item, above mentioned.

Signed Michael P. Dowling,
Book-keeper of the Item Publishing Co.

Subscribed and sworn to before me this 12th day of
July, 1907. Robert J. McCleery.

S. 567. To authorize incorporated towns and cities of Tuscaloosa county to establish, maintain and operate dispensaries and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors, and to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; to further regulate the sale of liquors in said county; and to repeal an act entitled, "An act to authorize all incorporated towns, and cities in Tuscaloosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county," approved on the 27th day of February, 1901. This act not being intended, however, to repeal or affect any existing law under which the sale of liquors in said county may hereafter be prohibited.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that when the Legislature of Alabama reassembles a bill will be introduced in that body which will apply to Tuscaloosa county and be substantially as follows, to-wit:

A BILL

To be entitled an act to authorize the incorporated towns and cities of Tuscaloosa county to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors, and to prohibit and punish the selling of liquors and intoxicating drinks in said county in any other way than by such municipal corporations through their dispensaries;

to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; to further regulate the sale of liquors in said county, and to repeal an act entitled "An act to authorize incorporated towns and cities in Tuscaloosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county," approved on the 27th day of February, 1901; this act not being intended, however, to repeal or affect any existing law under which the sale of liquor in said county may hereafter be prohibited.

Be it enacted by the Legislature of Alabama, as follows, to-wit:

Section 1. Each incorporated city or town of Tuscaloosa county, except the towns hereafter described, shall have authority to establish, maintain and operate in its corporate name, in its corporate capacity and through its legislative body the business of buying and selling spirituous, vinous and malt liquors, subject to the conditions and restrictions hereinafter mentioned. The places at which said business of buying and selling liquors is carried on shall be called a dispensary. The term "dispensary" in a general sense includes the place at which liquors are stored. But in this act the term when it refers to a particular place refers to the place where liquors are sold. In each of said towns or cities which has a population of ten thousand persons or less, there shall be one dispensary, and only one. In towns or cities that have a population greater than ten thousand, and not exceeding twenty thousand, there may be two dispensaries. In general, there may be in each city a dispensary for every ten thousand of its population. Cities whose population is over twenty thousand, and between multiples of ten thousand, may have a dispensary for every ten thousand of its population and an additional dispensary for the excess of its population over the lower one of the said multiples. But no dispensary

shall be established in a town that has less than three hundred inhabitants. The population of towns and cities shall be determined by the last preceding general census. These dispensaries shall be established and carried on only within the corporate limits of such towns or cities. Each municipality that carries on such business shall invest in the business at the outset a sum of money not less than three hundred dollars, nor more than ten thousand dollars, for each dispensary it may establish and carry on. The liquors bought and sold as herein provided, shall be of the purest and best quality.

Sec. 2. The office of purchasing agent for the dispensary is hereby created, and there shall be a purchasing agent for each dispensary that may be established. The first purchasing agent for any dispensary that is or may be established in said county shall be elected within sixty days after the approval of this act, and the term of office of said purchasing agent shall begin on October 1, 1907, and continue during the remainder of said year 1907, and after said year 1907 for two years. The term of their successors in office shall be two years. Purchasing agents shall not hold office for more than two terms in succession. But the filling of a vacancy shall not be considered as one of said successive terms. Under all events, however, such purchasing agent shall hold office until his successor is elected and qualified. The purchasing agent shall deliver to his dispenser, the man who fills an office hereinafter created, all the liquors that are to be sold in the dispensary. The purchasing agent is authorized to employ a chemist to inspect and analyze any liquors which he contemplates purchasing, or has already purchased, and he shall not deliver to the dispenser any liquor which the chemist has pronounced unsuitable for use. Said agent shall return such liquors to the person, firm or corporation from whom he bought them and make reclamation therefor if he has already paid for the same. He may buy in bulk and have the liquors put in bottles. Whiskies, brandies and gin shall be put in bottles that hold only one pint, in bottles that hold only one-half of a pint, in bottles that hold only one-fourth of a pint, in bottles

that hold only one-eighth of a pint, and in bottles that hold only one-sixteenth of a pint to the end that persons may be able to buy whiskies, brandies and gin in the small quantities above mentioned. But no whiskies, brandies or gin shall be put in bottles that hold more than one pint. The premises in which the bottling is done shall be different from those in which the dispensary is situated. But they shall be in the same town as the premises of the dispensary. The place where the liquors are received and bottled and from which they are sent to the dispensary shall be called the storage room. The storage room shall be a part of the dispensary. But when the term dispensary is used in this act to designate a particular place it refers, unless the contrary is indicated by the context, to the place where liquor is sold, and not to the storage room. This storage room shall not be open and work shall not be done in the same between the hours of 6 p. m. of one day and 6 a. m. of the next day. The purchasing agent shall pay cash for all liquors purchased by him by drawing his warrant on the dispenser, and the dispenser shall pay said warrant. The purchasing agent shall not sell or give away any liquor whatever. Each purchasing agent shall select and appoint each and every assistant, servant and employe that may be used in or about his work, and he shall be liable civilly for the acts and omissions of each of said assistants, servants and employes. The number of purchasing agents, assistants, servants and employes, and the salaries and wages to be paid to each, shall be determined by the legislative body of the town or city in which the dispensary is located. Said salaries or wages shall be paid monthly, on the last day of each month, and they shall be made known to the assistants, servants and employes before such assistants, servants and employes are engaged. Said salaries and wages shall in no way or manner whatever be made or permitted to depend upon the amount of the sales of the dispensary. The purchasing agent shall keep an accurate account of what he purchases and what he delivers to his dispenser. He shall fix the selling price of liquors, and when bottling liquors he shall put a label on each bottle,

which shall state the kind and price of the liquor it contains. The price shall be an amount not greater than fifty per cent. (50 per cent.) above the original cost or invoice price. He shall keep an accurate account of all liquors purchased by him and of all liquors delivered by him to his dispenser, and for all liquors so delivered he shall take a receipt from the dispenser. On the first day of each month the said purchasing agent shall make a report to the legislative body of his town or city on such forms and in such way and manner as said body may direct. All books, papers, accounts and records of the purchasing agent shall at all times be open to the inspection of the dispenser and of the legislative body of his town or city and of every member of said body, and of every citizen of the county. Under the provisions of this act and under the ordinances, rules and regulations of the legislative body of the town or city in which the dispensary is located, which said ordinances, rules and regulations shall in no wise be inconsistent with the provisions of this act. Each purchasing agent shall manage and conduct the storage room of the dispensary for which he was elected, and discharge the duties of his said office.

Sec. 3. If the purchasing agent personally takes or receives, directly or indirectly, any commission, percentage, rebate, gift, present or compensation of any kind whatever on account of his connection with his office, he shall be deemed guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one thousand dollars, and may also be sentenced to hard labor for the county for not more than twelve months, one or both, at the discretion of the jury.

Sec. 4. The office of dispenser is hereby created, and there shall be a dispenser for each dispensary that may be established. John M. Daniel shall be the first dispenser under this act for the city of Tuscaloosa, and his term of office shall continue until the first day of January, 1907. Jesse M. Griffin shall be the first dispenser under this act for the town of Northport, Alabama, and his term of office shall continue until the first day of January, 1908. The term of their successors

in office shall be two years. Dispensers shall not hold for more than two terms in succession. But the filling of a vacancy shall not be considered one of said successive terms. Under all events each dispenser shall hold office until his successor is elected and qualified. Under the provisions of this act, and under the ordinances, rules and regulations of the legislative body of the town or city in which the dispensary is located, which said ordinances, rules and regulations shall in no wise be inconsistent with the provisions of this act, each dispenser shall manage and conduct the dispensary for which he was elected. Each dispenser shall select and appoint each assistant, servant and employe that may be used in or about his dispensary, and he shall be liable civilly for the acts and omissions of each of said assistants, servants and employes. The number of the dispenser's assistants, servants and employes, and the salaries and wages to be paid to each, shall be determined by the legislative body of the town or city in which the dispensary is located. Said salary or wages shall be paid on the last day of each month for services rendered during that month. Such salaries and wages shall in no way or manner whatever be made or permitted to depend upon the amount of the sales of such dispensary.

Sec. 5. For the purpose of aiding as hereinafter prescribed, in the selection of purchasing agents for the towns and cities of Tuscaloosa county in which dispensaries are or may be established a meeting of the court of county commissioners shall be called whenever necessary. A meeting of said court, regular or called, shall be necessary within thirty days after the approval of this act. At any regular or called meeting of said court of county commissioners that may be held within thirty days after the approval of this act, and at any regular or called meeting of said court that may be held between the last day of September, 1909, and the sixteenth day of December of that year, and at any regular or called meeting of said court that may be held between the last day of September and the sixteenth day of December of every second calendar year after said period of said last mentioned year, said court of county

commissioners shall furnish to the mayor or other chief executive of the towns and cities of said county in which dispensaries are herein authorized to be established the names of three times as many men as the number of dispensaries which such towns and cities of said county desires to establish, specifying the men who are nominated or assigned to each town or city in said county and stating that the men whose names are so furnished are the men from whom the legislative body of such towns and cities must select its purchasing agent or agents. These men shall be residents of said county, shall be twenty-one years old, and shall be regarded as honest, temperate, law-abiding and competent to act as purchasing agent or purchasing agents. Before the first day of the first term of office and before the first day of each succeeding term of office of purchasing agent, herein provided for, the legislative body of each of said towns and cities shall, from the names so nominated and furnished, elect its purchasing agent or purchasing agents for its own town or city, assigning to each purchasing agent the dispensary in connection with which the agent is to work.

Sec. 6. For the purpose of aiding, as hereinafter prescribed, in the selection of dispensers for the towns and cities of Tuscaloosa county in which dispensaries are or may be established, a meeting of the court of county commissioners shall be called whenever necessary. At any regular or called meeting of said court of county commissioners that may be held within thirty days after the approval of this act, and at any regular or called meeting of said court that may be held between the last day of September, 1909, and the sixteenth day of December of that year, and at any regular or called meeting of said court that may be held between the last day of September and the sixteenth day of December of every second calendar year after said period of said last mentioned year, said court of county commissioners shall furnish to the mayor or other chief executive of the towns and cities in said county in which dispensaries are to be established the names of three times as many men as the number of dispensaries which such towns

and cities of said county desire to establish, specifying the men who are nominated or assigned to each town or city in said county and stating that the men whose names are so furnished are the men from whom the legislative body of such towns and cities must select its dispenser and dispensers. These men shall be residents of said county, shall be twenty-one years old, and shall be regarded as honest, temperate, law-abiding and competent to manage and conduct a dispensary in said towns or cities. Before the first day of the first term of office, and before the first day of each succeeding term of office of dispenser, herein provided for, the legislative body of each of said towns and cities shall, from the names so nominated and furnished, elect a dispenser or dispensers for its town or city, assigning to each dispenser his dispensary. Said dispenser, under the direction and control of the legislative body of the town or city in which his dispensary is situated—so far as said direction and control are not inconsistent with the provisions of this act—shall sell liquors and manage and conduct the dispensary for a term of two years, and until his successor is elected and qualified. But he shall not interfere with the duties and privileges of the purchasing agent that are herein prescribed or control him in such matters. Each town or city that has a dispensary shall provide its dispenser with whatever money, within the aforesaid limits, that it wishes to use in conducting the business. Before entering upon the duties of his office each dispenser shall make affirmation before an officer authorized to administer oaths that he will obey all laws of the State of Alabama, and of the town or city of which he is dispenser, relative to the sale, giving away or delivery of liquors or any kind. He shall also, before beginning business, execute to his town or city a bond, conditioned for the honest and faithful discharge of his duty as such dispenser. Said bond shall be for the sum of three thousand dollars, shall have two sufficient sureties, and shall be approved by the mayor or other chief executive of said town or city. Any person who may be injured by the failure of the dispenser to observe the provisions of this act or of any rule, or-

dinance or regulation of his town or city in reference to his dispensary may sue said dispenser on his bond. For neglect of business, incompetency, misfeasance or malfeasance in office a dispenser may be impeached by the legislative body of the town or city of which he is dispenser, and, for cause, to be judged of by said body, said dispenser may be removed from office. Whenever a vacancy in said office occurs in any town or city, from any cause whatever, the mayor or other chief executive of such town or city shall certify that fact to the judge of probate of said county. Said mayor or other chief executive of such town or city may appoint a temporary dispenser until the vacancy shall be filled as herein provided. But such temporary dispenser shall in no event hold office longer than twenty days. Said judge shall immediately call a meeting of the court of county commissioners of his county, and said court shall nominate and furnish to said mayor or other chief executive the names of three men having the aforesaid qualifications for dispenser, and from these three names the legislative body of said town or city shall elect a dispenser to fill the vacancy.

Sec. 7. All the provisions of the foregoing section in reference to the mode of electing dispensers, the oath of qualifications of dispensers, the bond and liabilities of dispensers, the impeachment of dispensers, the filling of vacancies in the office of dispensers and all other provisions of said section, unless the contrary is indicated in the context, or in section five (5) of this act or elsewhere in this act, shall, the names being changed, apply to and be observed in the case of purchasing agents.

Sec. 8. Dispensaries being now established in the city of Tuscaloosa and town of Northport, in said county, the assets of said dispensaries under the act under which said dispensaries have been operating shall be the assets of said respective dispensaries under this act. The liabilities of said dispensaries under the act under which said dispensaries have been operated shall be the liabilities of said respective dispensaries under this act. John M. Daniel having been elected to be the dispenser in Tuscaloosa under the act under which the Tuscaloosa dis-

dispensary has been operated to hold office until January 1, 1908, shall be dispenser under this act for the remainder of said term. Jesse M. Griffin having been elected to be the dispenser in Northport under the act under which the dispensary in Northport has been operated, to hold office until January 1, 1908, shall be the dispenser under this act for the remainder of the term.

Sec. 9. The legislative or governing body of the towns and cities in which dispensaries may hereafter be operated under this act shall pay to its purchasing agent or purchasing agents and to its dispenser or dispensers a salary, which shall be fixed by said body before the purchasing agents and dispensers are elected, and shall not be changed during their term of office. The salaries of dispensers shall not be less than five hundred dollars nor more than twenty-five hundred dollars per annum, and shall be paid in equal monthly installments on the last day of each month. The salary of the purchasing agent shall be eighty per cent of that of the dispenser, and shall be payable monthly on the last day of each month. Said legislative body shall not make or permit the amount of the salary of any purchasing agent or the amount of the salary of any dispenser to depend in any way or in any degree whatever on the amount of sales that may be made by its dispenser or dispensers.

Sec. 10. The dispenser shall not sell, hand or deliver liquors to the same person oftener than once in any one day, handling or delivery be to such person on his own account or for his own use and benefit, or on account of or for the use and benefit of some other person or some firm or corporation. He shall not make any sale between the hours of 6 p. m. of one day and 6 a. m. of the next day.

Sec. 11. If the dispenser, or any of his assistants, servants or employes, sells, hands or delivers liquors of any kind to the same person oftener than once in any one day, or makes any sale of such liquors between the hours of 6 p. m. of one day and 6 a. m. of the next day, the person so selling, handling or delivering shall be guilty of a misdemeanor, and, on conviction, shall be

fined not less than ten nor more than one hundred dollars. Any person who purchases or attempts to purchase liquor from the dispenser or from any of his assistants, servants or employes oftener than once in any one day shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

Sec. 12. Said dispenser shall not himself drink, consume or give away liquor of any kind or in any quantity on the premises of his dispensary. Said dispenser shall not permit or suffer any assistant, servant, employe, purchaser or any person whomsoever to drink, consume or give away any liquor on said premises. Said purchasing agent shall not himself drink, consume or give away liquor of any kind or in any quantity on the premises of the storage room. Said purchasing agent shall not permit or suffer any assistant, servant, employe or any person whomsoever to drink, consume or give away any liquor on the premises of his storage room. But this section shall not be construed so as to permit the dispenser or purchasing agent, or some employe designated by the latter, from sampling liquors which the purchasing agent may contemplate purchasing. Said dispenser and said purchasing agent shall report to the grand jury any one whom they, or either of them, believe to be guilty of violating the provisions of this section.

Sec. 13. Any person who drinks or consumes any liquor on the premises of the dispensary or on the premises of the storage room, except the dispenser, the purchasing agent or an employe of the purchasing agent when they are sampling liquors, as permitted in section twenty-three (23) of this act, shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

Sec. 14. The dispenser shall not keep in his dispensary any broken package of liquor. If any package should accidentally be broken the contents shall at once be bottled and the bottle sealed. The dispenser shall not sell any spirituous, vinous or malt liquors that are not contained in sealed packages.

Section 15. The dispenser shall not sell liquors of any kind except those which he receives from the purchasing agent of his dispensary. He shall not sell on Sundays or sell to minors or to persons of known intemperate habits. He shall not sell at one time more than one pint of whiskey, brandy or gin, or of any two of these liquors, or of all of them together. He shall sell for cash only. He shall keep an accurate record of the amount of each day's sales. All books, papers, accounts and records of the dispenser shall at all times be open to the legislative body of his town or city and of every member thereof and of every citizen of the county. On the first day of each month each dispenser shall make to the legislative body of his town or city a complete statement of the assets and liabilities of his dispensary as they stood on the last day of the preceding month. Said report shall also state the average number of sales for each business day during the preceding month. Said report shall at once be published in a newspaper published in the dispenser's county. Such report shall be made on such forms and under such directions, rules and regulations as the legislative body may prescribe. In said report the dispenser shall give full and accurate information as to the condition, expenses, profits, losses and status of his business. He shall give other and additional information, orally or in writing, whenever and as often as the legislative body of his town or city or any member of said body may require.

Section 16. If the dispenser or any of his assistants, servants or employes sells any liquors except those which the dispenser has received from the purchasing agent of his dispensary, or sells any liquor on Sundays, or sells to minors or to persons of known intemperate habits, or sells at any one time more than one pint of whisky, brandy or gin, or of any two of these liquors or of all them together, such dispenser, servant or employe shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

Section 17. Subject to the provisions of this act, the legislative body of the towns and cities of Tuscaloosa county under the dispensary local option act of 1907 may maintain and operate dispensaries, and regulate and control the management and conduct of the same.

Section 18. The dispenser shall buy furniture, fixtures and appliances for his dispensary and for the storage room, pay all expenses of the dispensary, including those of the storage room, and take a voucher for all moneys disbursed. The expenses of the storage room shall be paid by the dispenser on warrants drawn on him by the purchasing agent. Unless instructed by the legislative body of his town or city not to keep the dispensary money in a bank, the dispenser shall deposit the proceeds of each day's sales and other dispensary money, if he has any, in some solvent bank. The dispensary money shall not be put on the dispenser's individual account in the bank, but to his credit as dispenser, and the dispensary money shall not be mixed with the dispensary's private funds. Only the dispenser is authorized to draw drafts or checks for dispensary money deposited in a bank. On the first day of each month the dispenser shall pay to the treasurer of his town, or city sixty per cent of the net profits of the dispensary for the month preceding and to the treasurer of his county forty per cent of said net profits. The money so paid to the treasurer of the town or city shall be the exclusive property of such town or city, and may be used by the legislative body thereof in any way in which said body is authorized to spend the money of said town or city. The money that is paid to the county treasurer shall be used and applied in the following manner: One-third of said sum shall be used in giving pensions to such confederate veterans of said county as are entitled to receive pensions under the laws of the State. One-third of the dispensary money given to said county shall be applied by the county commissioners of said county to the promotion of the public schools of said county outside of the town in which the dispensary is located. One-third of the dispensary money given to said county shall be applied by the county

commissioners of said county to the improvement of the public roads of said county. Money that is to be paid to Confederate veterans shall be distributed under the direction of said county commissioners. But such distribution and payment shall be made, as far as practicable, in the same manner in which confederate pensions are distributed and paid by the State, except that State officers shall have nothing to do with the handling of such money. The capital stock of dispensaries established or operated in Tuscaloosa county under the provisions of this act, including furniture, fixtures and appliances, shall be and remain the exclusive property of the several towns and cities in which the dispensaries are respectively established.

Section 19. No person shall drink any liquor within fifty yards of the premises of the dispensary, unless he drinks it on his own premises lying within such fifty yards. No one who lives or does business on premises that are within fifty yards of a dispensary shall permit any person not a member or guest of his family to drink or consume any liquor on his said premises. Any one who purchases or furnishes or aids in purchasing or furnishing the liquor which he drinks within the fifty yards above described in this section shall not be considered a guest within the meaning of this section. Any person who violates the provisions of this section shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than one dollar and not more than ten dollars.

Section 20. No spirituous, vinous or malt liquors or intoxicating drinks or beverages of any kind shall be sold in said county under the dispensary local option act of 1907 except by and through dispensaries herein provided for. But nothing in this act shall be so construed as to prevent any person who manufactures spirituous, vinous or malt liquors in a brewery or distillery from selling the same by wholesale in sealed packages to dispensers or to those liquor dealers who do business in counties in which they may be authorized by law to do business. Any person who violates the provisions of this section shall be guilty of a misdemeanor, and, on

conviction, shall be fined not less than twenty and not more than one hundred dollars.

Section 21. The dispensaries established under this act shall be located in a public and convenient place. No gates, doors, windows or opening of any kind shall connect any dispensary with any adjacent house or lot so as to permit ingress into or egress out of such house or lot from or into the dispensary. No blinds or screens shall be set up or used in such dispensaries. No gaming or loitering shall be allowed in said dispensary. Throughout the night a light or lights shall be kept burning in the dispensary, and no doors, blinds, curtains, shades, screens or other things shall be allowed to prevent persons on the outside of the dispensary from seeing inside thereof. The provisions of this section in reference to dispensaries shall apply to and be observed in the case of storage rooms.

Section 22. The term "legislative body" where it appears in this act is intended to mean or designate the lawmaking body of the towns or cities herein referred to, whether said body is called mayor and aldermen, board of mayor and aldermen, council, town council, city council, intendent and town council, or by some other name.

Section. 23. The act entitled "an act to authorize all incorporated towns and cities in Tuscaloosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county," approved on the 27th day of February, 1901, is hereby repealed. But dispensaries established under said act are not discontinued by the repeal of said act. Such dispensaries shall be ~~maintained, conducted and operated~~ under the provisions of this act. But this act shall not be construed to prevent or defeat the force and effect of any election that may be held in Tuscaloosa county under the provisions of an act of the legislature approved in February or March, 1907, authorizing an election to be held in said county in reference to the prohibition vel non

of the sale of spirituous, vinous and malt liquors in said county.

The State of Alabama, }
Tuscaloosa County. }

Before me, P. B. Traweck, a justice of the peace, in and for said State and county, personally appeared Jno. T. Bealle, to me known, who, being by me first duly sworn, doth depose and say that he is the owner and publisher of the West Alabama Breeze, which is a newspaper published in the town of Northport, in Tuscaloosa county, Alabama; that a notice that a bill would be introduced in the Legislature of Alabama when said Legislature reassembled, for the passage of a law amending or remodelling an act of the Legislature of said State approved the 27th day of February, 1901, establishing and providing for the conduct of dispensaries for the sale of liquors by incorporated towns in Tuscaloosa county, Alabama, was printed for four consecutive weeks in the said West Alabama Breeze, and published in each issue of said paper of the dates of June 12th, June 19th, June 26th, and July 3rd, 1907, and that a printed copy of said notice, containing said bill, the bill so proposed to be introduced, is hereto attached.

Jno. T. Bealle, Pub.

Sworn to and subscribed before me this 13th day of July, 1907.

P. B. Traweck,
Justice of the Peace.

S. 557. To create the office of official stenographer for Walker county, Alabama, to provide for his appointment, fix his compensation and define his duties, and provide for special stenographers in certain cases.

And sends same herewith to the House, without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the present session of the Legislature of Alabama, substantially as follows, to-wit:

A BILL

To be entitled an act, to create the office of official stenographer for Walker county, Alabama; to provide for his appointment, fix his compensation and define his duties, and to provide for special stenographers in certain cases.

Be it enacted by the Legislature of Alabama, as follows:

Section 1. That the office of official stenographer for Walker county, Alabama, is hereby created, and the judge of the probate court, the judge of the law and equity court and the judge of the circuit court of said county, are hereby authorized to appoint an official stenographer for said county, and such appointment may be made by a majority of said judges.

Sec. 2. That the first stenographer appointed under this act shall serve until the end of the year 1907; that such subsequent term shall be for one year, commencing on January 1, and ending on December 31, thereof. Such stenographer shall receive a salary of one hundred (\$100.00) dollars per month, payable by Walker county on the warrant of the probate judge drawn on the treasurer thereof.

Sec. 3. It shall be the duty of said stenographer to attend all trials in the probate court, where the testimony is taken orally, all trials in the law and equity court, except in equity cases, and all trials in the circuit court of said county, and report at length the testimony offered and the rulings and oral charges of the court in each case, provided he is requested to do so by the trial judge or either party to the cause.

Sec. 4. That said stenographer shall, within ten days, on being directed to do so by the trial judge (and it shall be the duty of such trial judge to make the request immediately on notice by either party that an ap-

peal is to be taken) make an original and at least two carbon copies of the matter so taken on the trial as provided in the preceding section, and deliver or mail the trial judge and a carbon copy to one of the attorneys for each of the parties.

Sec. 5. Should two or more of said courts be engaged at the same time in the trial of cases of the character to be reported by the stenographer, as provided in section 3 of this act, then such stenographer shall serve during such time as directed by the judge of probate of said county, whose duty it shall be to see to it that preference in such matters is given to the trial of important criminal cases.

Sec. 6. That the judge of either of said courts shall, whenever a cause of the character to be reported by the stenographer as provided in section 3 is about to be called for trial, be authorized to appoint a special stenographer to report such case. If it is made known to such judge that the regular stenographer will, during such time, be engaged in one of the other courts. Such special stenographer to receive such reasonable compensation as may be fixed by the trial judge, payable by Walker county on a warrant drawn by the trial judge on the treasurer thereof. That said special stenographer shall discharge the same duties, so far as the cases he may report, as the official stenographer for Walker county.

Sec. 7. That before the official, or any special stenographer provided for herein shall enter upon the discharge of his duties he shall subscribe to an oath to support the constitution and laws of the State of Alabama, and faithfully discharge all the duties of such office.

Sec. 8. That the official or any special stenographer may be removed from office by said judges for good cause shown to the satisfaction of such judge or a majority thereof.

Sec. 9. That all stationery to be used by said official or special stenographers, in their capacity as such, shall be paid for by Walker county in the manner now pro-

vided for the payment for stationery used by the judge of probate thereof.

The State of Alabama, }
Walker County. }

Before me, John S. Shields, a notary public in and for said State and county, this day personally appeared J. R. Gunter, who, being by me duly sworn, deposes and says, that he is the editor of the Mountain Eagle, a newspaper published in Walker county, Alabama, and that the foregoing notice was, prior to this date and without cost to the State of Alabama, published once a week for four consecutive weeks, beginning January 30th, 1907, in the said Mountain Eagle, a newspaper which is, and was at the time of the publication of said notice, published in the county of Walker and State of Alabama.

J. R. Gunter.

Sworn to and subscribed before me this 8th day of July, 1907.

John B. Shields,
Notary Public.

J. A. Kyle,
Secty.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message, were read one time and referred to appropriate standing committees as follows:

Local Legislation, S. 592, S. 557.

Temperance, S. 567.

BILLS ON THIRD READING.

H. 1228. For the relief of T. W. Smith, clerk of the circuit court of Autauga county, Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Jenkins	Power
Altman	Johnson	Pratt
Arnold	Killen	Price
Avery	King	Ragsdale
Ballard (Autauga)	Kirby	Rice
Ballard (Pike)	Kornegay	Rushton
Barton	Lancaster	Sanders
Benners	Lawson	Sherrod
Bloch	Lee (Houston)	Smith (Elmore)
Brown	Long (Butler)	Smith (Franklin)
Cannon	Lyons	Smith (Lee)
Carmichael (Clay)	Middleton	Steagall
Coleman (Lowndes)	Mitchell	Thompson
Crum	Moore	Tunstall
Doyle (Marengo)	Norville	Vann
Foster	Oliver	Weaver
Glover	Parker	White (Lamar)
Haley	Pearson	Williams
Henley	Peete	
Hoffman	Pitts (Dallas)	

—58.

H. 1293. To allow the selling, or otherwise lawfully disposing of, larger beer, by the proprietor, or manager, of the Park hotel to be erected at Montrose in Baldwin county.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Crum	Jenkins
Arnold	Doyle (Clark)	John
Avery	Dudley	Jones
Baltzell	Edwards	Killen
Barton	Foster	King
Benson	Glover	Kirby
Brown	Gunter	Lacy (Walker)
Burney	Haley	Lancaster
Cooper	Hoffman	Lawson

Lee (Houston)	Parker	Sanders
Lindsey	Peete	Sanford
Long (Butler)	Pitts (Dallas)	Sherrod
Lyons	Power	Smith (Elmore)
Malone	Pratt	Smith (Franklin)
Maner	Price	Smith (Lee)
Mitchell	Rainer	Thompson
Moore	Rice	Tunstall
McCrary	Rowe	Weaver
Norville	Rushton	White (Lamar)
Oliver		

—58.

H. 1090. To create the Sixteenth judicial circuit for the State of Alabama, to be composed of the counties of Blount, Etowah and St. Clair, to confer equity jurisdiction on said court as to matters arising in Blount and St. Clair counties, and to provide for registers in chancery therein; to provide for the appointment and election of a judge and solicitor for said circuit and fix their salaries, and for the removal of pending causes and for the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit and to authorize the judge of said circuit to adopt reasonable rules of practice to facilitate the business of the courts therein; to fix the time of holding courts in said circuit, and places at which such courts shall be held and to require that a jury be demanded in civil causes.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Bulger	Glover
Armstrong	Burney	Goodwyn
Arnold	Cannon	Gunter
Avery	Cooper	Haley
Barton	Cranford	Henley
Benners	Crum	Hughston
Bloch	Elrod	Jenkins
Brown	Foster	John

Johnson	Moore	Price
Jones	McCrary	Rainer
King	McMillan	Rice
Lacy (Walker)	Oliver	Rowe
Lancaster	Parker	Sanders
Lawson	Pearson	Seale
Lovelady	Peete	Thompson
Lyons	Pitts (Dallas)	Turner
Malone	Pitts (Perry)	Vann
Maner	Power	Weaver
Mastin	Pratt	White (Lamar)
Mitchell		

—58.

H. 1316. To vacate, abolish and annul as alleys, streets or public highways, the following streets and alleys, as shown and contained in the map of the property of the North Birmingham Land Company, in Jefferson county, Alabama, to-wit: the alleys running east and west through the center of blocks numbered 214 and 234 and lying between the west line of 14th street and the east line of 15th street; also that portion of Sixth avenue lying along the north of said block and south of what is known as the Jonesville road, as now located at said point; also that portion of Seventh avenue lying between the west line of 14th street and the east line of 15th street; also that portion of 8th avenue lying west of the west line of 14th street and south of block 234; and to annul and extinguish the dedication thereof.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Cooper	Henley
Avery	Cranford	Jenkins
Barton	Crum	John
Benners	Elrod	Johnson
Bloch	Foster	Jones
Brown	Fuller	Killen
Burney	Glover	King
Cannon	Haley	Kirby

Lawson	Oliver	Sample
Lee (Houston)	Parker	Sanford
Long (Butler)	Peete	Seale
Lyons	Pitts (Dallas)	Smith (Lee)
Malone	Pitts (Perry)	Steagall
Maner	Power	Thompson
Mastin	Pratt	Tunstall
Mitchell	Price	Turner
Moore	Rainer	Weaver
McCrory	Rice	Williams
McMillan	Rowe	Woolf
Norville	Rushton	

—58.

H. 1315. To establish a dispensary in and for the town of Andalusia, in the county of Covington, in the State of Alabama, and to provide for the conduct and regulation of the same.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Jones	Peete
Arnold	Killen	Powell (Covington)
Baltzell	King	Power
Barton	Kirby	Price
Benners	Kornegay	Rainer
Bloch	Lacy (Walker)	Rice
Brown	Lawson	Rowe
Bulger	Lee (Houston)	Rushton
Burney	Lindsey	Sanders
Cooper	Long (Butler)	Sanford
Crum	Lyons	Seale
Doyle (Clark)	Maner	Smith (Elmore)
Edwards	Mastin	Smith (Etowah)
Foster	Mitchell	Smith (Lee)
Fuller	Moore	Steagall
Glover	McCrory	Tunstall
Haley	McMillan	Turner
Henley	Parker	Weaver
Jenkins	Pearson	White (Lamar)
John		

—58.

H. 1229. To authorize the board of directors of the State Normal School at Jacksonville, for and in behalf of said normal school and for and behalf of the State of Alabama to sell and convey to the mayor and city council of Jacksonville a certain house and lot on or near the south-east corner of the public square of the town of Jacksonville, Alabama, the same being the house and lot formerly used and occupied by Calhoun county as a county court house, and now used by said normal school for school purposes; the proceeds of said sale to be used and applied by said board of directors of the State Normal School at Jacksonville, for the benefit of said normal school.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	McCrory
Altman	Henley	McMillan
Arnold	Hoffman	Oliver
Avery	Jenkins	Parker
Baltzell	John	Pitts (Perry)
Barton	Johnson	Power
Benners	Jones	Pratt
Bloch	King	Price
Brown	Lacy (Walker)	Rainer
Bulger	Lancaster	Rice
Burney	Lawson	Rowe
Cannon	Lee (Houston)	Sample
Cooper	Long (Butler)	Sanders
Cranford	Lovelady	Smith (Elmore)
Crum	Lyons	Smith (Lee)
Dudley	Malone	Tunstall
Foster	Maner	Turner
Fuller	Mastin	Weaver
Glover	Moore	White (Lamar)
Gunter		

—58.

H. 1214. For the relief of Mrs. M. A. Jones, widow of an ex-confederate soldier.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas :**Messrs :—**

Speaker	Johnson	Price
Baltzell	Jones	Ragsdale
Barton	Killen	Rainer
Benners	King	Rice
Benson	Lawson	Rowe
Bloch	Lee (Houston)	Rushton
Bulger	Lindsey	Sample
Burney	Lovelady	Sanford
Cannon	Lyons	Seale
Cooper	Malone	Sherrod
Cranford	Mitchell	Smith (Lee)
Crum	Moore	Steagall
Fuller	McCrary	Tunstall
Foster	Oliver	Turner
Fuller	Parker	Weaver
Haley	Pearson	White (Lamar)
Henley	Peete	White (Perry)
Hoffman	Power	Williams
Jenkins	Pratt	Woolf
John		

—58.

H. 1227. For the relief of T. H. Dunn, J. H. Pinckard and Wiley Hill, ex-confederate soldiers of Chambers county.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas :**Messrs :**

Speaker	Cooper	Haley
Baltzell	Cranford	Jenkins
Barton	Crum	John
Benners	Doyle (Clark)	Jones
Benson	Elrod	King
Bloch	Foster	Kirby
Brown	Fuller	Lacy (Walker)
Bulger	Glover	Lancaster
Burney	Goodwyn	Lawson
Cannon	Gunter	Lee (Houston)

Lovelady	Peete	Seale
Lyons	Power	Sherrod
Malone	Pratt	Smith (Elmore)
Martin	Price	Smith (Lee)
Mitchell	Rainer	Steagall
Moore	Rice	Tunstall
McCrory	Rowe	Turner
Oliver	Sanders	Weaver
Parker	Sanford	White (Lamar)
Pearson		

—58.

H. 900. To amend sections 2, 3, 6, 10, 11 (as amended March 2, 1901) 12, and 18 (as amended March 2, 1901) of "An act to establish a county court for the county of Clay," approved Dec. 13, 1898.

Was taken up. The question was upon the adoption of the amendment as reported by the standing committee on Judiciary, said amendment being as follows:

Amend section 4, 11th line from top of page three by striking out the words "time and the appointee" and inserting in lieu thereof the word "term."

Also amend by striking out section seven of the bill.

And the amendment was adopted.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Martin
Baltzell	Fuller	Mitchell
Barton	Glover	Moore
Benners	Gunter	McCrory
Bloch	Haley	McMillan
Brown	Henley	Norville
Bulger	John	Oliver
Burney	Johnston	Parker
Cannon	Jones	Peete
Carmichael (Clay)	Lawson	Pitts (Dallas)
Cooper	Lee (Houston)	Pitts (Perry)
Cranford	Long (Butler)	Power
Crum	Lyons	Pratt
Dudley	Malone	Price
Elrod	Maner	Ragsdale

91 H.

Rainer	Seale	Tunstall
Rice	Sherrod	Turner
Rowe	Steagall	Weaver
Sample	Thompson	White (Lamar)
Sanders		

—58.

Mr. Carmichael, of Clay, offered the following amendment to the bill:

Amend by adding section 7 to read as follows:

Sec. 7. That the salary of the judge of the county court of Clay be and the same is hereby fixed at one thousand five hundred dollars per annum, to be paid monthly out of the State treasury as the circuit judges of the State are paid; provided, however, that the salary of such judge be paid in such amount and in such manner as is now provided by law by the county of Clay, until such county have a population of 20,000 or more, and also taxable property of \$3,500,000.00, or more, in value, according to the last assessment of property for State and county taxation in the county of Clay.

And the amendment was adopted.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Pearson
Barton	John	Peete
Benners	Johnson	Pitts (Dallas)
Benson	Jones	Pitts (Perry)
Bloch	Long (Butler)	Power
Brown	Lovelady	Pratt
Bulger	Lyons	Price
Carmichael (Clay)	Malone	Ragsdale
Coleman (Lowndes)	Maner	Rainer
Cooper	Mastin	Rattray
Crum	Mitchell	Rice
Doyle (Clark)	Moore	Rowe
Elrod	McCrory	Sample
Foster	McMillan	Sanders
Glover	Nerville	Sanford
Haley	Oliver	Seale

Sherrod	Steagall	Turner
Smith (Elmore)	Thompson	Weaver
Smith (Etowah)	Tunstall	White (Lamar)
Smith (Lee)		

—58.

And the bill:

H. 900. To amend sections 2, 3, 6, 10, 11 (as amended March 2, 1901) 12, and 18 (as amended March 2, 1901) of "An act to establish a county court for the county of Clay," approved Dec. 13, 1898.

As amended, was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Johnson	Pitts (Dallas)
Benners	Jones	Power
Benson	King	Pratt
Bloch	Lacy (Walker)	Price
Brown	Lancaster	Rainer
Bulger	Lawson	Rice
Burney	Lee (Houston)	Rowe
Carmichael (Clay)	Long (Butler)	Rushton
Coleman (Lowndes)	Lovelady	Sample
Cooper	Lyons	Sanders
Crum	Malone	Seale
Edwards	Maner	Sherrod
Elrod	Mastin	Smith (Elmore)
Glover	Moore	Smith (Lee)
Goodwyn	McCrory	Steagall
Gunter	Oliver	Tunstall
Hailey	Parker	Turner
Hoffman	Pearson	Weaver
Jenkins	Peete	White (Lamar)
John		

—58.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended, as therein shown, and as amended has passed House bill:

H. 888. To provide for the establishment of a branch of the circuit court of Barbour county; to define its

powers and jurisdiction; to regulate the trial of causes therein and the drawing and summoning of juries and witnesses therefor.

And returns the same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Williams, the House concurred in the Senate amendment to the bill, H. 888, said Senate amendment being as follows:

Amend by striking out the following words in section 8 of said bill, to-wit: "The provisions of this bill shall go into effect immediately after its approval by the governor." Amend further by adding to said bill immediately after the last word in said bill the following words, to-wit: "Section 9. Be it further enacted, That before this act shall become effective, the question of the establishment of the branch of the circuit court at Clio shall be submitted to the qualified voters of Barbour county at the next general election, and shall be ratified by a majority of said qualified voters. That there shall be printed on the ballots the words: "For branch court at Clio", and "Against branch court at Clio"; and upon the ascertainment of the result, if it shall appear that a majority of the qualified electors of said county have voted for the establishment of said court, the probate judge of Barbour county shall certify the fact, and thereupon the provisions of this act shall go into immediate effect.

Yeas, 58; nays, 0.

Yeas:

Messrs:

Speaker	Cooper	Henley
Alford	Cranford	Hoffman
Altman	Crum	Jenkins
Baltzell	Foster	John
Benners	Fuller	Johnson
Bloch	Glover	Jones
Burney	Gunter	Killen
Cannon	Haley	Kirby

Kornegay	Parker	Sanders
Lancaster	Pearson	Seale
Lawson	Peete	Sherrod
Lee (Barbour)	Power	Smith (Elmore)
Long (Butler)	Pratt	Smith (Lee)
Lovelady	Price	Steagall
Lyons	Ragsdale	Tunstall
Malone	Rainer	Turner
Mastin	Rice	Weayer
Moore	Rowe	White (Lamar)
McCrory	Sample	Williams
Oliver		

—58.

H. 531. For the relief of Beverley Jackson, alias Beverley Green.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Appropriations; said amendment being as follows:

Amend the bill by striking out the words and figures: "Two hundred thirteen and 33-100 dollars" wherever they occur in said bill and insert in lieu thereof the words: "one hundred dollars."

And the amendment was adopted.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Elrod	Malone
Baltzell	Foster	Mastin
Barton	Fuller	Moore
Renners	Glover	McCrory
Benson	Haley	Norville
Bloch	Gunter	Oliver
Brown	John	Parker
Bulger	Johnson	Pearson
Burney	Jones	Peete
Cannon	Lacy (Walker)	Pitts (Dallas)
Cooper	Lancaster	Pitts (Perry)
Cranford	Lawson	Power
Crum	Lovelady	Pratt
Dudley	Lyons	Price

Rainer	Seale	Tunstall
Rice	Sherrod	Turner
Rowe	Smith (Lee)	Weaver
Rushton	Steagall	Williams
Sample	Thompson	Woolf
Sanford		

—58.

And the bill:

H. 531. For the relief of Beverley Jackson, alias Beverley Green.

As amended, was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Parker
Arrington	Haley	Peete
Avery	Henley	Fitts (Dallas)
Baltzell	John	Pitts (Perry)
Barton	Johnson	Power
Benson	Jones	Ragsdale
Bloch	Kirby	Rainer
Bulger	Kornegay	Rowe
Burney	Lancaster	Sample
Cannon	Lawson	Sanders
Carmichael (Clay)	Long (Butler)	Seale
Cooper	Lovelady	Sherrod
Cranford	Lyons	Smith (Lee)
Crum	Malone	Steagall
Edwards	Mastin	Tunstall
Elrod	Mitchell	Turner
Foster	Moore	Weaver
Fuller	McCrory	Williams
Glover	Oliver	Woolf

—58.

H. 1019. To fix the salary of the judge of the city court of Talladega county and to provide for payment of the same.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Judiciary, said amendment being as follows:

Strike out the word "seven" in line three of section 1 and insert in lieu thereof the word "five."

And the amendment was adopted.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Pearson
Altman	Jenkins	Peete
Arnold	John	Pitts (Perry)
Baltzell	Jones	Power
Benness	Killen	Rainer
Benson	Lacy (Walker)	Rattray
Bloch	Lancaster	Rice
Brown	Lawson	Rowe
Bulger	Lindsey	Sample
Burney	Long (Butler)	Sanders
Cooper	Lovelady	Sanford
Cranford	Lyons	Seale
Crum	Malone	Sherrod
Elrod	Maner	Steagall
Foster	Mastin	Thompson
Fuller	Mitchell	Tunstall
Glover	Moore	Turner
Goodwyn	McMillan	Weaver
Gunter	Parker	White (Lamar)
Haley		

—58.

And the bill:

H. 1019. To fix the salary of the judge of the city court of Talladega county and to provide for payment of same.

As amended, was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Bloch	Cooper
Baltzell	Brown	Cranford
Barton	Bulger	Crum
Benness	Burney	Edwards
Benson	Cannon	Elrod

Foster	Malone	Rice
Glover	Maner	Rowe
Henley	Marlin	Whishton
Hoffman	Middleton	Sample
Jenkins	Mitchell	Sanders
John	Moore	Sanford
Johnson	McCrory	Seale
Jones	McMillan	Sherrod
Killen	Parker	Steagall
King	Pearson	Thompson
Kirby	Peete	Tunstall
Lancaster	Pitts (Perry)	Turner
Lawson	Power	Weaver
Lovelady	Rainer	White (Lamar)
Lyons		

—58.

S. 484. To fix the time of holding the circuit courts in the counties of Walker and Winston, composing the 14th judicial circuit of the State of Alabama.

Was taken up. Mr. Barton offered the following amendment to the bill:

Amend section two as follows: Strike out words "fourth Monday in September" in 1st paragraph and insert in lieu thereof "third Monday in March." Also amend paragraph 2 of said section by striking out word "fourth" and insert in lieu thereof word "third."

And the amendment was adopted.

Yeas, 58; nays, 0.

Yeas:

Members		
Speaker	Cranford	Henley
Baltzell	Crum	John
Barton	Doyle (Clark)	Johnson
Benners	Doyle (Marengo)	Jones
Benson	Dudley	Killen
Bloch	Elrod	Lacy (Walker)
Brown	Foster	Lancaster
Bulger	Glover	Lawson
Burney	Goodwyn	Lovelady
Cannon	Gunter	Lyons
Cooper	Haley	Malone

Maner	Power	Sherrod
Mastin	Pratt	Smith (Lee)
Mitchell	Rainer	Steagall
Moore	Rice	Thompson
McCrary	Rowe	Tunstall
McMillan	Sample	Turner
Parker	Sanders	Weaver
Pearson	Seale	White (Lamar)
Peete		

—58.

And the bill:

S. 484. To fix the time of holding the circuit courts in the counties of Walker and Winston, composing the 14th judicial circuit of the State of Alabama.

As amended, was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Hughston	Peete
Barton	Jenkins	Pitts (Perry)
Benners	John	Power
Benson	Jones	Pratt
Bloch	King	Price
Bulger	Kirby	Rainer
Burney	Lacy (Walker)	Rice
Cannon	Lancaster	Rowe
Cooper	Lawson	Rushton
Cranford	Lindsey	Sample
Crum	Long (Butler)	Sanders
Doyle (Clark)	Malone	Sanford
Elrod	Mitchell	Seale
Foster	Moore	Sherrod
Fowler	McCrary	Steagall
Glover	McMillan	Tunstall
Gunter	Oliver	Turner
Haley	Parker	Weaver
Henley	Pearson	White (Lamar)
Hoffman		

—58.

S. 543. To ratify, confirm and legalize the orders, acts and proceedings of the commissioners' court of Choctaw county in issuing to the contractors for building the county court house, three principal warrants and six subsidiary warrants representing a legal rate of interest from January 1st, 1907, on said three principal warrants in settlement of the cost of constructing county court house, and to authorize the payment of said warrants.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Jenkins	Parker
Baltzell	John	Peete
Barton	King	Pitts (Dallas)
Bloch	Kirby	Pitts (Perry)
Bulger	Kornegay	Power
Burney	Lacy (Walker)	Pratt
Cannon	Lancaster	Price
Cooper	Lawson	Rainer
Cranford	Lee (Barbour)	Rice
Crum	Lee (Etowah)	Rowe
Doyle (Marengo)	Lee (Houston)	Sample
Dudley	Long (Butler)	Sanders
Elrod	Lovelady	Seale
Foster	Lyons	Sherrod
Fuller	Malone	Smith (Lee)
Goodwyn	Mitchell	Steagall
Gunter	Moore	Tunstall
Haley	McCrory	Turner
Hughston	Oliver	Weaver

—58.

S. 396. To repeal an act approved December 13th, 1900, entitled an act to establish, maintain and regulate a dispensary in the town of Roanoke, Randolph county, Alabama, for the sale of spirituous, vinous or malt liquors, ciders and other intoxicants and to establish a board of commissioners for the management of said dispensary and for other purposes.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Temperance, said amendment being as follows:

Amend the bill by striking out section two and adding in lieu thereof new section 2 as follows:

Sec. 2. That this act shall not take effect until January the first, 1908.

And the amendment was adopted.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Hoffman	Pitts (Dallas)
Avery	John	Pitts (Perry)
Ballard (Autauga)	Johnson	Power
Baltzell	Jones	Pratt
Barton	Kirby	Price
Benson	Lacy (Walker)	Rainer
Bloch	Lawson	Rice
Brown	Long (Butler)	Rowe
Bulger	Lovelady	Sample
Burney	Lyons	Sanders
Coleman (Marshall)	Malone	Seale
Cooper	Mitchell	Sherrod
Crum	Moore	Smith (Lee)
Edwards	McCrory	Steagall
Elrod	McMillan	Thompson
Foster	Norville	Tunstall
Fuller	Oliver	Turner
Glover	Parker	Weaver
Haley	Feete	White (Lamar)
Henley		

—58.

And the bill:

S. 396. To repeal an act approved December 13th, 1900, entitled an act to establish, maintain and regulate a dispensary in the town of Roanoke, Randolph county, Alabama, for the sale of spirituous, vinous or malt liquors, ciders and other intoxicants and to estab-

lish a board of commissioners for the management of said dispensary and for other purposes.

As amended, was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Johnson	Power
Avery	Jones	Platt
Ballard (Autauga)	Killen	Price
Benness	King	Rainer
Benson	Kirby	Ratray
Bloch	Kornegay	Rice
Brown	Lacy (Walker)	Rowe
Bulger	Lawson	Sample
Burney	Long (Butler)	Sanders
Cooper	Lovelady	Sanford
Crum	Lyons	Seale
Doyle (Clark)	Mitchell	Sherrod
Foster	Moore	Smith (Lee)
Fuller	McCrory	Steagall
Glover	McMillan	Thompson
Goodwyn	Parker	Tunstall
Gunter	Pearson	Turner
Haley	Peete	Weaver
Jenkins	Pitts (Perry)	White (Lamar)
John		

—58.

S. 400. To repeal an act approved February 13th, 1897, entitled an act to regulate the sale of spirituous, vinous or malt liquors in the corporate limits of the town of Roanoke, Randolph county, Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Bulger	Crum
Avery	Burney	Elrod
Ballard (Autauga)	Cannon	Foster
Bloch	Cooper	Fuller
Brown	Cranford	Glover

Gunter	Lyons	Rainer
Haley	Malone	Rattray
Henley	Maner	Rice
Hoffman	Mastin	Rowe
Jenkins	Mitchell	Rushton
John	Moore	Sample
Johnson	McMillan	Sanders
Jones	Parker	Seale
Kirby	Pearson	Sherrod
Kornegay	Peete	Smith (Lee)
Lacy (Walker)	Pitts (Perry)	Steagall
Lancaster	Power	Tunstall
Lawson	Pratt	Turner
Long (Butler)	Price	Weaver
Lovelady		

—58.

H. 869. To authorize the town of Enterprise, in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

Was taken up. Mr. Arrington offered the following amendment to the bill:

To amend section 3 to read as follows:

Section 3. That the affairs and business of said dispensary shall be managed, controlled and conducted by a board of three commissioners, who shall each be a resident citizen of said municipality, and who shall possess the character and qualifications of electors under the general laws. That T. A. Byrd, R. B. Martin and B. W. Fleming be and they are hereby constituted said board of commissioners, and that the term of B. W. Fleming shall expire on the first day of January, 1909; that the term of R. B. Martin shall expire on the first day of January, 1910; that the term of the said T. A. Byrd shall expire on the first day of January, 1911, and the successors of said commissioners whose terms have so expired shall be elected by the board of mayor and councilmen of said municipality at their last regular meeting of each year, and each of said commissioners to be elected shall hold office for a term of three years from the commencement of his term.

Amend section 14 to read as follows:

Section 14. That the board of commissioners of the dispensary shall appropriate fifty per cent. of the net profits of said dispensary to the public schools of Coffee county, and the same to be applied in the same proportion as the public school funds from other sources are applied. Said fifty per cent. shall be paid to the persons entitled to receive the same as provided by law. That the remainder of the net proceeds of said dispensary shall be paid into the treasury of said town. That said sum shall be appropriated and paid as aforesaid quarterly, or four times a year.

Amend said bill by adding at the end of said bill the following section:

Section 23. This act shall not take effect until the 1st day of January, 1908.

And the amendment was adopted.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Jones	Parker
Arnold	Killen	Peete
Arrington	King	Power
Avery	Kirby	Pratt
Ballard (Autauga)	Kornegay	Price
Bloch	Lacy (Walker)	Rainer
Brown	Lancaster	Sample
Bulger	Lawson	Sanders
Burney	Lindsey	Sanford
Cannon	Long (Butler)	Seale
Cooper	Lovelady	Sherrod
Cranford	Lyons	Smith (Franklin)
Crum	Malone	Smith (Lee)
Elrod	Mitchell	Steagall
Foster	Moore	Thompson
Glover	McCrory	Tunstall
Goodwyn	McMillan	Turner
Gunter	Norville	Weaver
John	Oliver	White (Lamar)
Johnson		

And the bill:

H. 869. To authorize the town of Enterprise, in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

As amended, was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	John	Pearson
Arrington	Johnson	Peete
Avery	Jones	Pitts (Perry)
Ballard (Autauga)	King	Pratt
Ballard (Pike)	Kirby	Price
Baltzell	Kornegay	Rainer
Benson	Lacy (Walker)	Rice
Bloch	Lawson	Rowe
Cooper	Lee (Barbour)	Rushton
Cranford	Lindsey	Sample
Crum	Long (Butler)	Sanders
Edwards	Lovelady	Sanford
Elrod	Lyons	Seale
Glover	Maione	Sherrod
Goodwyn	Mitchell	Smith (Lee)
Gunter	Moore	Steagall
Haley	McCrary	Turner
Henley	McMillan	Weaver
Hoffman	Oliver	White (Lamar)
Jenkins		

—58.

H. 1155. To prevent and punish any person, firm or corporation, residing in or doing business within any stock law district in Covington county enclosed by any fence or fences, from turning any stock prevented from running at large within such stock law district, in or on any territory within said county where any such stock are prohibited by law from running at large in non-stock law districts in said county; making the violation of such act a misdemeanor, and providing that the act take effect from and after its passage and approval by the governor.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Jones	Pratt
Baltzell	Killen	Price
Barton	King	Rainer
Benners	Kirby	Rattray
Benson	Lancaster	Rice
Bloch	Lawson	Rowe
Bulger	Lindsey	Sample
Burney	Lovelady	Sanders
Cannon	Lyons	Sanford
Cooper	Malone	Seale
Cranford	Mitchell	Sherrod
Crum	Moore	Smith (Lee)
Elrod	McCrory	Steagall
Foster	Oliver	Thompson
Fuller	Parker	Tunstall
Glover	Pearson	Turner
Haley	Peete	Weaver
Henley	Powell (Covington)	White (Lamar)
John	Power	Williams
Johnson		

—58.

H. 1104. For the relief of Mary Marler, Mary J. Simpler, widows of confederate soldiers, and A. Campbell, a confederate soldier, being residents of Crenshaw county, Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Crum	Jenkins
Baltzell	Doyle (Clark)	John
Barton	Dudley	Johnson
Benners	Elrod	Jones
Benson	Foster	Killen
Brown	Fuller	King
Bulger	Goodwyn	Kornegay
Burney	Gunter	Lawson
Cooper	Haley	Lee (Etowah)
Cranford	Henley	Long (Butler)

Lovelady	Bitts (Perry)	Sample
Lyons	Power	Sanford
Malone	Pratt	Sample
Mitchell	Price	Sherrod
Moore	Ragsdale	Smith (Lee)
Oliver	Rainer	Steagall
Parker	Rice	Tunstall
Pearson	Rowe	Turner
Peete	Rushton	Weaver
		Williams

—58.

H. 1252. To fix the time of holding the circuit court in the county of Lawrence in the Eighth judicial circuit of Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Jenkins	Peete
Baltzell	Johr	Power
Barton	Jones	Pratt
Benners	Killen	Price
Benson	King	Ragsdale
Brown	Lacy (Walker)	Rainer
Bulger	Lawson	Rice
Burney	Long (Butler)	Rowe
Cooper	Lovelady	Rushton
Cranford	Lyons	Sample
Crum	Malone	Sanford
Elrod	Maner	Seale
Foster	Mastin	Sherrod
Guller	Mitchell	Smith (Lee)
Glover	Moore	Steagall
Goodwyn	McCrory	Tunstall
Gunter	Oliver	Weaver
Haley	Parker	White (Perry)
Henley	Pearson	Williams
Koffman		

—58.

S. 525. To prohibit the barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages or drinks within three miles of the Sister Springs church, in Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit court of Dallas county and Lowndes county.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	John	Pitts (Perry)
Avery	Johnson	Power
Baltzell	Jones	Pratt
Barton	King	Price
Benners	Kirby	Ragsdale
Brown	Kornegay	Rainer
Bulger	Lacy (Walker)	Rice
Burney	Lancaster	Rowe
Cooper	Lawson	Sample
Cranford	Lindsey	Sanders
Cooper	Long (Butler)	Seale
Elrod	Lovelady	Sherrod
Foster	Lyons	Smith (Lee)
Fuller	Mitchell	Tunstall
Goodwyn	Moore	Turner
Gunter	Oliver	Weaver
Haley	Parker	White (Lamar)
Henley	Peete	Williams
Jenkins	Pitts (Dallas)	Woolf

—58.

H. 185. For the relief of Major David M. Scott, of the Alabama National Guard.

Was read a third time, at length, and passed.

Yeas, 57; nays, 6.

Yeas:

Messrs:—

Speaker	Ballard (Autauga)	Bloch
Arrington	Ballard (Pike)	Bulger
Avery	Benners	Carmichael (Clay)

Coleman (Lowndes)	Lacy (Walker)	Peete
Cranford	Lancaster	Pitts (Dallas)
Crum	Lawson	Pitts (Perry)
Elrod	Lee (Houston)	Powell (Bullock)
Foster	Lovelady	Pratt
Fuller	Lyons	Ragsdale
Glover	Malone	Rowe
Goodwyn	Maner	Sanders
Gunter	Middleton	Sanford
Haley	Mitchell	Smith (Elmore)
Hoffman	Moore	Smith (Franklin)
Jenkins	McDuffie	Smith (Lee)
John	McMillan	Tunstall
Johnson	Norville	Vann
King	Parker	White (Lamar)
Kornegay	Pearson	

—57.

Nays:

Messrs:—

Barton	Cannon	Killen
Powell (Covington)	Power	Rushton

—6.

H. 641. To appropriate \$2,500 to the Eclectic high school.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Appropriations, said amendment being as follows:

Amend title line 2 by striking out "\$2,500.00" and inserting "\$1,500." Amend section 1, line 2, by striking out "\$2,500.00" and inserting "\$1,500.00." Amend section 2, line 4, by striking out "\$2,500.00" and inserting "\$1,500.00." Amend section 3, line 6, by striking out "\$2,500.00" and inserting "\$1,500.00."

And the amendment was adopted.

Yeas, 41; nays, 15.

Yeas:

Messrs:—

Speaker	Ballard (Autauga)	Coleman (Lowndes)
Altman	Benners	Cranford
Avery	Carmichael (Clay)	Crum

Doyle (Marengo)	Lee (Houston)	Sanders
Foster	Lyons	Sanford
Goodwyn	Maner	Smith (Elmore)
Gunter	Mitchell	Smith (Franklin)
Haley	Norville	Smith (Lee)
Hoffman	Pearson	Steagall
John	Peete	Thompson
King	Pitts (Dallas)	Tunstall
Lacy (Walker)	Pitts (Perry)	Vann
Lancaster	Pratt	Williams
Lawson	Rice	

—41.

Nays:

Messrs:—

Barton	Fuller	Power
Bulger	Glover	Ragsdale
Cannon	Killen	Rowe
Coleman (Marshall)	Moore	White (Lamar)
Elrod	Powell (Covington)	White (Perry)

—15.

And the bill:

H. 641. To appropriate \$2,500 to the Eclectic high school.

Was read a third time, at length, and passed.

Yeas, 37; nays, 24.

Yeas:

Messrs:—

Speaker	John	Pitts (Dallas)
Altman	King	Pitts (Perry)
Arrington	Lacy (Walker)	Rice
Benners	Lancaster	Samole
Bloch	Lawson	Sanford
Coleman (Lowndes)	Lee (Houston)	Smith (Elmore)
Doyle (Marengo)	Lyons	Smith (Franklin)
Elrod	Maner	Smith (Lee)
Goodwyn	Mitchell	Steagall
Gunter	McDuffie	Thompson
Haley	Norville	Tunstall
Hoffman	Pearson	Vann
Jenkins	Peete	

—37.

Nays:

Messrs:—

Avery	Crauford	Powell (Covington)
Ballard (Autauga)	Elrod	Power
Ballard (Pike)	Fuller	Pratt
Barton	Glover	Ragsdale
Bulger	Johnson	Rowe
Cannon	Killen	Rushton
Carmichael (Clay)	Moore	Sanders
Coleman (Marshall)	Parker	White (Lamar)

—24.

H. 898. To prohibit the sale of wine in the city of Thorsby, Alabama, in quantities less than one gallon; to prohibit the drinking of wine on the premises where sold, or in a room adjoining the premises where sold; and to provide that any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars and costs for each offense; and repealing all laws and parts of laws in conflict with this act.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Temperance, said amendment being as follows:

Amend Sec. 4 and the caption by striking the words "not less than ten dollars" and inserting in lieu thereof the words "not less than fifty nor more than five hundred dollars."

And the amendment was adopted.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Burney	Henley
Arrington	Cooper	Jenkins
Avery	Crauford	John
Barton	Crum	Johnson
Benness	Elrod	Jones
Benson	Fuller	Killen
Bloch	Goodwyn	King
Brown	Gunter	Lacy (Walker)
Bulger	Haley	Lancaster

Lawson	Pitts (Dallas)	Sanford
Lovelady	Pitts (Perry)	Seale
Lyons	Power	Sherrod
Malone	Pratt	Smith (Franklin)
Middleton	Price	Smith (Lee)
Moore	Rainer	Tunstall
McMillan	Ratray	Turner
Oliver	Rice	Weaver
Parker	Rowe	White (Lamar)
Pearson	Sample	Williams
Peete		

—58.

And the bill:

H. 898. To prohibit the sale of wine in the city of Thorsby, Alabama, in quantities less than one gallon; to prohibit the drinking of wine on premises where sold, or in a room adjoining the premises where sold; and to provide that any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars and costs for each offense; and repealing all laws and parts of laws in conflict with this act.

As amended, was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Lawson
Baltzell	Gunter	Lindsey
Barton	Haley	Lovelady
Benson	Henley	Lyons
Bloch	Hoffman	Malone
Brown	Jenkins	Maner
Bulger	John	Mastin
Burney	Johnson	Middleton
Cooper	Jones	Mitchell
Crum	Killen	Moore
Dudley	King	McCrory
Elrod	Kirby	Oliver
Foster	Lacy (Walker)	Parker
Fuller	Lancaster	Pearson

Peete	Rainer	Seale
Pitts (Dallas)	Rice	Smith (Lee)
Pitts (Perry)	Rowe	Tunstall
Power	Sample	Turner
Pratt	Sanford	Weaver
Price		

—58.

H. 1220. To amend sections two (2) and three (3) of an act entitled "An act to amend sections 897 and 911 of chapter 19, article 1 of the Code of Alabama, approved March 6th, 1907.

Was taken up. Mr. Jenkins offered the following amendment to the bill:

Amend by making Washington read first Monday in March and October and Baldwin third Monday after first Monday in March and October.

And the amendment was adopted.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Johnson	Pearson
Ballard (Autauga)	Jones	Peete
Benners	King	Pitts (Dallas)
Benson	Kirby	Pitts (Perry)
Bloch	Kornegay	Power
Bulger	Lacy (Walker)	Pratt
Burney	Lancaster	Price
Cannon	Lawson	Rainer
Cooper	Lovelady	Rice
Crum	Lyons	Rowe
Elrod	Malone	Rushton
Foster	Mastin	Sample
Fuller	Mitchell	Sanders
Glover	Moore	Seale
Goodwyn	McCrory	Tunstall
Gunter	McMillan	Turner
Henley	Norville	Weaver
Hoffman	Oliver	Williams
Jenkins	Parker	Woolf
John		

—58.

And the bill :

H. 1220. To amend sections two (2) and three (3) of an act entitled "An act to amend sections 897 and 911 of chapter 19, article 1 of the Code of Alabama, approved March 6th, 1907.

As amended, was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs.—

Speaker	Johnson	Power
Benners	Jones	Pratt
Benson	Kilien	Price
Bloch	King	Rainer
Bulger	Kirby	Rattray
Burney	Lawson	Rice
Cannon	Lovelady	Rowe
Cooper	Lyons	Sample
Cranford	Malone	Sanders
Crum	Mastin	Sanford
Elrod	Mitchell	Seale
Foster	Moore	Sherrod
Fuller	McCrory	Smith (Lee)
Goodwyn	Oliver	Steagall
Gunter	Parker	Thompson
Haley	Pearson	Tunstall
Henley	Peete	Turner
Hoffman	Pitts (Dallas)	Weaver
Jenkins	Pitts (Perry)	White (Lamar)
John		

—58.

S. 414. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within the territory now embraced in election precinct No. nine (9) in Covington county, Alabama, except within the present corporate limits of the town of Florala and to provide punishment for violation of this act.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas :**Messrs :—**

Speaker	Haley	Pearson
Avery	Henley	Peete
Bailard (Autauga)	Hoffman	Pitts (Perry)
Barton	Jenkins	Powell (Bullock)
Benson	John	Power
Bloch	Jones	Pratt
Brown	Killen	Price
Bulger	King	Rainer
Burney	Kirby	Rice
Cannon	Lancaster	Rowe
Cooper	Lawson	Sample
Cranford	Lovelady	Sanders
Crum	Lyons	Seale
Doyle (Clark)	Malone	Sherrod
Edwards	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Foster	McMillan	Turner
Fuller	Oliver	Weaver
Glover	Parker	White (Lamar)
Gunter		

—58.

S. 467. To prescribe rules of practice and procedure in the circuit court of Montgomery county, and to define the powers of the judge of said court in reference thereto.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas :**Messrs :—**

Speaker	Crum	Jones
Baltzell	Fuller	King
Barton	Glover	Kirby
Benners	Goodwyn	Lacy (Walker)
Benson	Gunter	Lancaster
Bloch	Haley	Lawson
Bulger	Henley	Lindsey
Burney	Jenkins	Lyons
Cooper	John	Malone
Cranford	Johnson	Maner

Mastin	Price	Smith (Lee)
Mitchell	Rainer	Steagall
Moore	Rattray	Thompson
Oliver	Rice	Tunstall
Parker	Rowe	Turner
Pearson	Sample	Weaver
Peete	Sanders	White (Perry)
Pitts (Perry)	Sanford	Williams
Power	Seal.	Woolf
Pratt		

—58.

H. 1160. To provide for guards for the Montgomery county jail, and to fix the compensation for such guards.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Kirby	Rainer
Baltzell	Lacy (Walker)	Rattray
Bloch	Lancaster	Rice
Brown	Lawson	Rowe
Burney	Lovelady	Sample
Cooper	Lyons	Sanders
Crum	Malone	Sanford
Elrod	Maner	Seale
Foster	Mastin	Sherrod
Fuller	Mitchell	Smith (Franklin)
Glover	Moore	Smith (Lee)
Goodwyn	Oliver	Steagall
Gunter	Parker	Thompson
Haley	Peete	Tunstall
Henley	Pitts (Dallas)	Turner
Hughston	Pitts (Perry)	Weaver
John	Power	White (Lamar)
Jones	Pratt	Vann
Killen	Price	Woolf
King		

—58.

H. 1138. To appropriate the sum of \$21.60 for the year 1904 and the further sum of \$30.00 for the year

1905 and the further sum of \$30.00 for the year 1906, total \$81.60, to Mary Morris, widow of John Morris, an ex-confederate soldier, as a confederate pensioner for said years, her name having been erroneously omitted from the list of pensioners for said years.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Parker
Avery	Hoffman	Peete
Baltzell	Jenkins	Power
Barton	John	Pratt
Benners	Johnson	Price
Benson	Killen	Pugh
Bloch	King	Ragsdale
Bulger	Kornegay	Rainer
Burney	Lacy (Walker)	Rice
Cooper	Lancaster	Rowe
Cranford	Lawson	Sample
Crum	Lee (Houston)	Sanders
Dudley	Lovelady	Seale
Edwardes	Lyons	Sherrod
Elrod	Malone	Smith (Lee)
Foster	Mitchell	Tunstall
Fuller	Moore	Vann
Glover	McCrory	Weaver
Goodwyn	Oliver	Woolf
Gunter		

—58.

H. 1271. To amend an act entitled "An act to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers, their powers, duties and compensation; to fix the terms of said court; and to prescribe rules and procedure for said court," approved Feb. 25, 1907, by amending sections 6 and 7 of said act, and by adding section 37, providing that the judge of the said Morgan county law and equity court be authorized and empowered to direct the sheriff of Morgan county to appoint a sufficient number of deputies to serve the process of this court

and perform other necessary and proper duties and to provide for the compensation of the sheriff, deputies and janitors for said court; and by adding section 38, providing for the trial of all causes removed to the Morgan county law and equity court from any other court in Morgan county, and by adding section 39, providing that a session of said court may be held at any time and for such purpose as the judge of said court may determine, and for which petit and grand jurors may be summoned and empanelled; and by adding section 40, providing for rendering final judgment upon forfeited bonds; and by adding section 41, providing for the investigation of charges against any defendant in the county court of Morgan county, Ala., by the grand jury of the Morgan county law and equity court.

Was taken up. Mr. Sample offered the following amendment to the bill:

Amend said bill by striking out the words, "by amending sections 6 and 7 of said act and" in the fifth line of the caption, and by striking out of section 1 of said bill which amends sections 6 and 7 of the said act, and also by striking out section 41 of the last section in section two of said bill.

And the amendment was adopted.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Lawson
Avery	Glover	Lindsey
Baltzell	Goodwyn	Lovelady
Barton	Gunter	Lyons
Benners	Haley	Mastin
Benson	Henley	Mitchell
Bloch	Hoffman	Moore
Bulger	Jenkins	Oliver
Burner	John	Pearson
Coleman (Marshall)	Jones	Peete
Cooper	Killen	Pitts (Perry)
Crum	King	Power
Dudley	Lacy (Walker)	Pratt
Elrod	Lancaster	Price

Rainer	Seale	Turner
Rice	Sherrod	Weaver
Rowe	Smith (Lee)	White (Lamar)
Sample	Steagall	Williams
Sanders	Tunstall	

—58.

And the bill:

H. 1271. To amend an act entitled an act, to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers, their powers, duties and compensation, to fix the terms of said court; and to prescribe rules and procedure for said court, approved February 25, 1907, by amending sections 6 and 7 of said act; and by adding section 37, providing that the judge of the said Morgan county law and equity court be authorized and empowered to direct the sheriff of Morgan county to appoint a sufficient number of deputies to serve the process of this court, and perform other necessary and proper duties and to provide for the compensation of the sheriff, deputies and janitor for said court; and by adding section 38, providing for the trial of all causes removed to the Morgan county law and equity court from any other court in Morgan county; and by adding section 39, providing that a session of said court may be held at any time for such purposes as the judge of said court may determine, and for which petit and grand jurors may be summoned and empanelled; and by adding section 40 providing for rendering final judgment upon forfeited bonds; and by adding section 41 providing for the investigation of charges against any defendant in the county court of Morgan county, Ala., by the grand jury of the Morgan county law and equity court.

As amended, was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Crum
Benness	Bulger	Elrod
Benson	Burney	Foster
Bloch	Cranford	Glover

Glover	Lyons	Rowe
Goodwyn	Malone	Rushton
Gunter	Mitchell	Sample
Haley	Moore	Sanders
Henley	Norville	Sanford
Hoffman	Oliver	Seale
Jenkins	Parker	Sherrod
John	Pearson	Smith (Franklin)
Johnson	Peete	Smith (Lee)
Jones	Pitts (Dallas)	Tunstall
Killen	Power	Turner
King	Pratt	Weaver
Kirby	Price	White (Lamar)
Lacy (Walker)	Rainer	White (Perry)
Lawson	Rice	Woolf
Lovelady		

—58.

H. 1238. To regulate dispensaries now operated or which may be operated by municipalities in the county of Geneva, to prescribe and fix a license on each dispensary in addition to that already imposed under the general law; to provide for the payment of such license fee to the judge of probate of Geneva county, and to give the court of county commissioners power to disburse the fund created by such license, at its discretion, either in building, repairing or furnishing school houses and buildings exclusively for rural districts of Geneva county, or for repairing the public roads of Geneva county, or for supplementing pensions to pensioners of the first class, or for all said purposes, and to provide a penalty for the failure to pay such license.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Edwards
Alford	Bulger	Elrod
Baltzell	Burney	Fuller
Benson	Cooper	Glover
Bloch	Crum	Gunter

Haley	Moore	Sanders
Henley	Oliver	Sanford
Hoffman	Parker	Seale
Jenkins	Pearson	Sherrod
John	Peete	Smith (Lee)
Johnson	Pitts (Dallas)	Steagall
Jones	Pitts (Perry)	Thompson
Killen	Pratt	Tunstall
King	Price	Turner
Kirby	Rainer	Weaver
Lawson	Rice	White (Lamar)
Lovelady	Rowe	White (Perry)
Lyons	Rushton	Williams
Malone	Sample	Woolf
Mitchell		

—58.

H. 1305. To fix the salary of the county treasurer of Walker county, Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	John	Parker
Benners	Johnson	Pearson
Benson	Jones	Peete
Bloch	King	Power
Brown	Kirby	Pratt
Bulger	Lacy (Walker)	Price
Burney	Lancaster	Ragsdale
Cranford	Lawson	Rainer
Crum	Lindsey	Rice
Elrod	Lovelady	Rowe
Foster	Lyons	Rushton
Fuller	Malone	Sample
Goodwyn	Maner	Sanders
Gunter	Mastin	Sanford
Haley	Mitchell	Seale
Henley	Moore	Smith (Elmore)
Jenkins	Oliver	Smith (Lee)

Steagall
Thompson
Tunstall

Turner
Weaver

White (Lamar)
Williams

—58.

H. 985. For the relief of Walter-Cotter Co., on unexpired license as future dealers.

Was taken up. Mr. Maner offered the following amendment to the bill:

Amend House bill 985 by adding thereto the following: Be it further enacted, that the board of revenue of Montgomery county be and are hereby authorized to draw a warrant on the county treasurer of Montgomery county for the sum of \$73.59 being the amount of the county license unexpired on Apr. 6th, 1907.

And the amendment was adopted.

Yeas, 58; nays, 0.

Yeas:

Members:—

Speaker	Johnson	Rainer
Benners	Killen	Rattray
Benson	King	Rice
Bloch	Kirby	Rowe
Brown	Kornegay	Rushton
Bulger	Lovelady	Sample
Burney	Lyons	Sanders
Cooper	Malone	Sanford
Crum	Maner	Seale
Doyle (Clark)	Mastin	Sherrod
Elrod	Mitchell	Smith (Lee)
Foster	Oliver	Steagall
Fuller	Parker	Thompson
Glover	Pearson	Tunstall
Goodwyn	Peete	Turner
Gunter	Power	Vann
Haley	Pratt	Weaver
Henley	Price	Williams
Jenkins	Ragsdale	Woolf
John		

—58.

And the bill:

H. 985. For the relief of Walter-Cotter Co., on un-expired license as future dealers.

As amended, was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	John	Power
Barton	Jones	Pratt
Benness	Killen	Price
Benson	King	Ralner
Bloch	Kirby	Rattray
Brown	Lawson	Rice
Bulger	Lindsey	Rowe
Burney	Lovelady	Rushton
Cooper	Lyons	Sample
Cranford	Malone	Sanders
Crum	Maner	Seale
Dudley	Mastin	Sherrod
Edwards	Mitchell	Smith (Lee)
Elrod	Moore	Tunstall
Glover	Oliver	Turner
Goodwyn	Parker	Vann
Gunter	Pearson	Weaver
Haley	Peete	Williams
Henley	Pitts (Perry)	Woolf
Jenkins		

—58.

H. 625. To provide for and regulate the working of the public roads in Tallapoosa county.

Was taken up. Mr. Bulger offered the following substitute for the bill:

Substitute for H. B. 625. By Mr. Bulger:

A BILL

To be entitled an act, to provide for and regulate the working of the public roads in Tallapoosa county,

Alabama, and to punish defaulters who fail or refuse to work said roads.

Section 1. Be it enacted by the Legislature of Alabama, That it shall be the duty of the commissioners' court of Tallapoosa county, as soon as practicable after this act goes into effect, to lay off said Tallapoosa county into public road districts and number the same as the commissioners' court may deem best for the purpose of carrying out this act; to grade and number the public roads of said county into first, second, grade roads; that a first grade road shall be twenty feet wide; a second grade road shall be fifteen feet wide; that it shall be the further duty of said commissioners' court to provide and keep in the probate office of Tallapoosa county, a well bound and properly ruled book suitable for the purpose, in which shall be kept a record of all public roads of said county showing the number, grade and length of each public road, and the road district in which all public roads are located. That said record shall be open to the inspection of the public at all times.

Section 2. Be it further enacted, That all male persons who reside in Tallapoosa county, Alabama, between the ages of eighteen and forty-five years who are not physically disabled to perform manual labor, shall be required to work on the public roads in said county six full days for each year, or instead thereof, shall pay the sum of six dollars to be paid to the probate judge of said county, three dollars on or by the first day of Feby. and three dollars on or by the first day of August of each year.

Section 3. Be it further enacted, That the commissioners' court of said county at its first regular or special term in each year shall, after having given notice by publication in some newspaper published in said county for twenty days, let to the lowest responsible bidder the contract for building or repairing public roads in said county and under such specifications and length of road as may be determined by said commissioners court. And provided, further, that if there should be no responsible bidder at a price that said commission-

ers' court is willing to accept for any portion of the public roads, then said commissioners' court shall employ a competent overseer at such wages as they may be able to procure the same, not to exceed two dollars (\$2.00) per day, and shall furnish such overseer the names of all persons who are subject to work on such road, and with the money to procure such additional labor as may be necessary to work such portion of the public road; such overseer shall make out a statement each week on blanks to be furnished him for that purpose by the commissioners' court, showing what road or portion of road has been worked by him, the number and names of the hands who have worked under him on such road and who are subject to work on said road, the number of days each one worked, the number and names of hands employed by him, the wages paid and the number of days each one has worked; said statement shall be sworn to by such overseer before some officer authorized to administer oaths, which said statement shall be delivered to or mailed to the probate judge and shall be filed and kept by such probate judge.

Sec. 4. Be it further enacted, That whenever the commissioners' court shall let out any road to any contractor, that they shall take bond from such contractor in double the amount to be paid him, which bond shall be payable to the probate judge of the county, and shall be conditioned to the faithful performance of all duties of such contractor, and that such contractor shall keep such public roads so contracted for by him at all times in good repair.

Section 5. Be it further enacted, That the commissioners' court shall apportion to each road precinct all hands liable to road duty on said precinct, and that the contractor shall call at least twice a year on such hands for the performance at each time of three days' work, and such road hands shall have at least one days' notice of the time and place at which they are warned to work; provided, that such hands not having previously paid their road duty tax to the probate judge, may in lieu of doing three days' work at each call, pay to said contractor the sum of three dollars.

Section 6. Be it further enacted, That when a contract is let for work on public roads there shall be charged to the contractor by said commissioners' court six dollars for each hand who has not paid to the probate judge his road tax for the year, and such contractor shall on his settlement be chargeable with one dollar per day for each hand who has worked for him during the existence of his contract, and shall be charged with all money paid to him in lieu of work by parties subject to road duty, and shall be credited with such sum as has not been collected either in money or work, provided, the failure to collect is not the fault of the contractor.

Section 7. Be it further enacted, That it shall be the duty of such contractor to report to a justice of the peace in the county under oath, the names of all persons failing or refusing after notice, either to do six days' work a year or to pay the tax as herein provided, and all such persons shall be deemed guilty of a misdemeanor, and on conviction shall be fined not less than \$2.50 for each days' default, which said fine shall be paid in money and shall go into the road funds of the county, and default of the payment of said fine may be sentenced to hard labor for the county.

Section 8. Be it further enacted, That all moneys and fines collected under this act shall be kept as a separate fund to be known as the "road fund" of Tallapoosa county, and shall not be used for any other purpose than repairing and building public roads in the county.

Section 9. Be it further enacted, That the commissioners' court of Tallapoosa county shall supplement the "road fund" herein provided for each year from the ~~general~~ fund of the county in such sum as in their judgment the county may be able to appropriate for the purpose of keeping up public roads as may be necessary for keeping the roads in good repairs.

Section 10. Be it further enacted, That the commissioners' court of Tallapoosa county, for the purpose of letting roads, changing the locations of existing roads, shall have authority to contract with parties over

whose lands they may desire to run new roads or to change roads now existing, and may condemn lands over which to run such roads as now provided by law, and may for the purpose of carrying out this act employ an engineer to locate new roads or change the location of roads now existing when in their judgment it is necessary.

Section 11. Be it further enacted, That on the failure of the commissioners' court to appropriate sufficient funds out of the general funds of the county, which together with the special funds herein provided for, will be sufficient to keep the public roads in good repair, that any five tax payers who are free holders and house-holders of the county may file his petition in the circuit court of said county, setting forth the fact that sufficient funds have not been appropriated to keep the public roads in good repair, and that the financial condition of the county is such as to authorize the appropriation of more money than has been appropriated and thereupon the clerk of the circuit court shall issue a notice to the probate judge, and each of the commissioners of the county, to appear and show cause why the appropriation should not be increased and issue shall be made up to determine: First, whether a sufficient sum has been appropriated to keep the roads of the county in good repair; second, whether the financial condition of the county is such as to warrant the appropriation of money for the purpose of keeping the public roads in repair. Which issue shall be tried before the judge of the circuit court presiding in such county, and should be determined by said judge of said circuit court that a sufficient amount has not been appropriated to keep the public roads in good repair, and that the financial condition of said county is such as to warrant the commissioners' court to appropriate for such purpose such sum as he may determine ought to be appropriated, and any commissioner failing to obey such judgment shall be in contempt of the court and shall be fined not less than one hundred dollars, which fine shall be paid in money and shall go into the road fund of the county.

Section 12. Be it further enacted, That a days' work under this act shall consist of ten hours.

Section 13. Be it further enacted, That the commissioners' court is hereby authorized and empowered to purchase improved road implements and mules with which to work the said roads.

Section 14. Be it further enacted, That the said commissioners' court are authorized and required to appoint two assistant road apportioners in each road precinct whose duty it shall be to assist the commissioners in apportioning the road hands in their respective precincts, whose term of office shall continue one year from their appointment, and who shall be exempt from road duty during their term of office.

Section 15. Be it further enacted, That it shall be the duty of each commissioner at each regular session of the commissioners' court to make a full, complete and accurate report under oath in writing the number of days spent by him inspecting the said road, what roads inspected, and the condition of such roads, which report shall be kept on file in the probate office for the inspection of the public.

Section 16. Be it further enacted, That each of the county commissioners shall receive three dollars per diem while in the actual bona fide discharge of their duties under this act, not to exceed thirty days in any one year, to be paid as they are now paid for other services.

Section 17. Be it further enacted, That all laws and parts of laws in conflict with this act be, and the same are hereby repealed. Provided this act shall not go into effect until the first day of January, 1908.

And the substitute was adopted.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker

Benners

Cooper

Arnold

Benson

Cranford

Arrington

Bloch

Crum

Avery

Bulger

Doyle (Clark)

Baltzell

Burney

Elrod

Foster	Lindsey	Price
Fuller	Long (Butler)	Ragsdale
Glover	Lovelady	Rainer
Goodwyn	Lyons	Rice
Haley	Malone	Rowe
Henley	Mitchell	Rushton
Hoffman	Moore	Sanders
Jenkins	Oliver	Seale
John	Parker	Smith (Lee)
Jones	Pearson	Tunstall
Killen	Peete	Weaver
King	Pitts (Perry)	White (Lamar)
Kirby	Power	Williams
Lacy (Walker)	Pratt	Woolf
Lawson		

—58.

And the bill:

H. 625. To provide for and regulate the working of the public roads in Tallapoosa county.

As amended, was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Moore
Barton	Hoffman	McCrary
Benness	Jenkins	McMillan
Benson	John	Norville
Bloch	Johnson	Oliver
Brown	Jones	Parker
Bulger	Killen	Peete
Burney	King	Pitts (Dallas)
Cooper	Kirby	Power
Cranford	Lacy (Walker)	Pratt
Elrod	Lancaster	Price
Foster	Lawson	Rainer
Fuller	Lovelady	Ratray
Glover	Lyons	Rice
Goodwyn	Malone	Rowe
Haley	Mitchell	Sample

Sanders

Smith (Franklin)

Weaver

Seale

Steagall

White (Lamar)

Sherrod

Tunstall

Williams

Smith (Elmore)

—58.

H. 378. To regulate corporations organized or doing business under the laws of this State whether a domestic or foreign corporation, or in case of a foreign corporation, whether it has complied with the laws of this State or not to advertise or publish by printing or circulating, or causing to be printed or circulated, newspaper advertisements, etc., the amount of authorized capital stock of any corporation unless the same shall have been fully subscribed and paid up in the manner now authorized by law, and to provide for the penalty of same.

Was taken up. Mr. King offered the following substitute for the bill, and pending amendment, said substitute being as follows:

Substitute for H. B. 378. By Mr. King:

A BILL

To be entitled an act to amend sections 1321 and 1322 of the Code of 1896, as amended by the act approved March 7, 1907.

Section 1. Be it enacted by the Legislature of Alabama, That section 1321 of the Code of 1896 be, and the same is hereby amended so as to read as follows:

1321. Admission fees exacted of foreign corporations.—No corporation created by the laws of any other State or of any foreign country, except such foreign corporations as had qualified in good faith to do business in this State prior to March 7, 1907, shall engage in or transact any business in this State without first having paid into the treasury for the use of the State the following charter fees: each foreign corporation whose actual amount of capital employed or to be employed in this State, is one hundred dollars or less, shall pay a charter fee of twenty-five per centum of the

actual amount of capital employed or to be employed in this State by it. Each foreign corporation whose actual amount of capital employed in this State, exceeds one hundred dollars and does not exceed one thousand dollars, shall pay a charter fee of twenty-five per centum upon the first one hundred dollars of the actual amount of capital employed in this State by it, and five per centum upon all such remaining actual amount of capital employed in this State by it over one hundred dollars, and up to and not exceeding the said limit of one thousand dollars. Each foreign corporation whose actual amount of capital employed in this State exceeds one thousand dollars, shall pay a charter fee of twenty-five per centum upon the first one hundred dollars of actual amount of capital employed in this State by it and five per centum upon all such actual capital employed in this State by it over one hundred dollars and up to one thousand dollars; and one-tenth of one per cent. of such actual amount of capital in excess of \$1,000 all corporations or mutual companies which have no capital stock shall pay a fee of twenty-five dollars.

Section 2. That section 1322 of the Code of 1896 be, and the same is hereby amended so as to read as follows:

1322. Statement to be filed.—Such foreign corporation shall at the time of paying such fee into the treasury file in the office of the State auditor an instrument of writing under the seal of the corporation and signed officially by the president or other chief officer, and the secretary of such corporation showing the name of the corporation, and the State or country under whose laws it was incorporated, the amount of total authorized capital of such corporation, its principal place of business, the name of the authorized agent of such corporation in this State, and the post office address of such authorized agent of such corporation in this State, and the location of the principal place of business of such corporation in this State, and also a statement showing the actual amount of capital employed in this State by such corporation if such corporation is at the date

of the filing of such statement engaged in business in this State, and if such corporation is not at the date of the filing of such statement engaged in business in this State, such statement shall state the actual amount of capital to be employed by such corporation in this State, which statement shall be sworn to by such president or other executive officer, and the secretary of said corporation before an officer authorized under the laws of this State to administer oaths or take acknowledgements of conveyances. If the auditor shall have any reason to believe that any statement made in such instrument so filed in his office is untrue or that any fact or facts stated in such instrument are incorrectly stated, he shall have power to demand of such corporation, its officers or agents, an inspection of the books, records and papers of the said corporation for the purpose of ascertaining the truth or falsity of any such statement, and any such corporation which shall refuse to permit the auditor or such person as may be designated by him to inspect the books, records and papers of such corporation, when such inspection is made by the auditor, shall not be permitted to transact any business or do any act in its corporate capacity in this State until such inspection is made. If the auditor upon making such inspection of the books, records and papers of such corporation shall find that the amount of the capital to be employed or which is employed by the said corporation in this State, is in excess of the amount stated in such statement filed by such corporation he shall make demand upon such corporation, its officers or agents, for the payment of the difference in amount between the charter fee for which such corporation would be liable upon the amount of capital set forth in said statement and the amount of the charter fee for which such corporation would be liable, upon the amount of capital as ascertained by the auditor from his inspection of the books, records and papers of such corporation and any such corporation which shall fail or refuse for the space of sixty days after the date that such demand is made by the auditor to pay such amount found by the auditor to be due by it in excess of the amount shown

to be due by it in such statement, shall not be permitted to engage in business or do any act in its corporate capacity in this State at any time within five years from the date of such demand. And it shall be unlawful for any corporation organized, or doing business under the laws of this State, whether a domestic or foreign corporation and in case of a foreign corporation, whether it has complied with the laws of this State or not, to advertise or furnish by printing or circulating or causing to be printed or circulated, newspaper advertisements, hand-bills, posters, circular letters, letter heads, whether on letter or envelope, business or cards, or any other method commonly used to advertise the amount of authorized capital stock of any corporation, unless it also advertises the amount of the actual capital stock paid in. And the violation of this last provision of this section shall subject the corporation violating the same to the forfeiture of its charter.

And the substitute was adopted.

Yeas, 52; nays, 2.

Messrs:—

Yeas:

Speaker	Hoffman	Pitts (Dallas)
Altman	Jenkins	Pitts (Perry)
Avery	John	Power
Ballard (Autauga)	Johnson	Rice
Ballard (Pike)	Killen	Rowe
Benners	King	Rushton
Bloch	Lacy (Walker)	Sample
Brown	Lancaster	Sanford
Cannon	Lee (Houston)	Smith (Elmore)
Carmichael (Clay)	Lovelady	Smith (Franklin)
Coleman (Lowndes)	Lyons	Steagall
Crum	Maner	Thompson
Doyle (Marengo)	Mitchell	Tunstall
Foster	Moore	Vann
Fuller	Parker	White (Lamar)
Goodwyn	Pearson	White (Perry)
Haley	Peete	Woolf
Henley		

Nays:
Messrs:—

Glover

Ragsdale

—2.

And the bill:

H. 378. To regulate corporations organized or doing business under the law of this State, whether a domestic or foreign corporation, or in case of a foreign corporation, whether it has complied with the laws of this State or not, to advertise or publish by printing or circulating, or causing to be printed or circulated, newspaper advertisements, etc., the amount of authorized capital stock of any corporation unless the same shall have been fully subscribed and paid up in the manner now authorized by law, and to provide for the penalty of same.

As amended, was read a third time, at length, and passed.

Yeas, 52; nays, 2.

Yeas:

Messrs:—

Speaker	Hoffman	Pitts (Dallas)
Alford	Jenkins	Pitts (Perry)
Avery	John	Power
Ballard (Autauga)	Killen	Rice
Ballard (Pike)	King	Rowe
Benners	Lacy (Walker)	Rushton
Bloch	Lancaster	Sample
Brown	Lee (Houston)	Sanford
Cannon	Lovelady	Smith (Elmore)
Carmichael (Clay)	Lyons	Smith (Franklin)
Coleman (Lowndes)	Maner	Steagall
Crum	Mitchell	Thompson
Doyle (Marengo)	Moore	Tunstall
Foster	McDuffie	Vann
Gunter	Parker	White (Lamar)
Haley	Pearson	White (Perry)
Henley	Peete	Woolf

—52.

Nays:
Messrs:—

Glover

Ragsdale

—2.

H. 1314. To abolish and close the dispensary at Headland, Henry county, Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Killen	Power
Baltzell	King	Pratt
Barton	Kirby	Price
Benners	Lacy (Walker)	Rainer
Benson	Lancaster	Rice
Bloch	Lawson	Rowe
Bulger	Long (Butler)	Rushton
Burney	Lovelady	Sanders
Crum	Lyons	Sanford
Elrod	Malone	Seale
Foster	Moore	Sherrod
Fuller	Malone	Smith (Etowah)
Glover	Norville	Smith (Lee)
Gunter	Oliver	Tunstall
Haley	Parker	Turner
Henley	Pearson	Vann
Hoffman	Peete	Weaver
John	Pitts (Dallas)	White (Lamar)
Johnson	Pitts (Perry)	Williams
Jones		

—58.

S. 449. To require the governor to send a State examiner of public accounts or some other expert accountant to audit and examine into the accounts, and operations of all incorporated towns and cities in Dallas county, operating public utilities.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Bloch	Elrod
Baltzell	Bulger	Foster
Barton	Burney	Fuller
Benners	Cooper	Glover
Benson	Crum	Goodwyn

Gunter	Long (Butler)	Pratt
Haley	Lovelady	Price
Henley	Lyons	Rainer
Hoffman	Malone	Rice
Jenkins	Mitchell	Rowe
John	Moore	Rushton
Jones	McMillan	Sample
Killen	Oliver	Seale
King	Parker	Smith (Lee)
Kirby	Pearson	Tunstall
Kornegay	Peete	Turner
Lacy (Walker)	Pitts (Dallas)	Vann
Lancaster	Pitts (Perry)	Weaver
Lawson	Power	Woolf
Lindsey		

—58.

S. 474. To fix and provide for the salary of the chancellor of the Southwestern chancery division of the State of Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Mastin
Baltzell	Henley	Mitchell
Barton	Hoffman	Moore
Benners	Jenkins	Oliver
Benson	John	Parker
Block	Johnson	Pearson
Bulger	Jones	Peete
Burney	King	Pitts (Dallas)
Cannon	Kirby	Power
Cranford	Kornegay	Price
Cruik	Lacy (Walker)	Rainer
Edwards	Lawson	Rice
Elrod	Lindsey	Rowe
Foster	Long (Butler)	Sample
Glover	Lovelady	Sanders
Goodwyn	Lyons	Seale
Gunter	Malone	Sherrod

Smith (Lee)	Turner	Weaver
Steagall	Vann	Woolf
Tunstall		

—58.

S. 475. To fix and provide for the salary of the judge of the Thirteenth judicial circuit of Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	John	Pitts (Dallas)
Barton	Johnson	Pitts (Perry)
Benners	Jones	Power
Benson	Killen	Pratt
Bloch	King	Price
Bulger	Kirby	Rainer
Burney	Kornegay	Rice
Cannon	Lacy (Walker)	Rowe
Crum	Lancaster	Rushton
Edwards	Lawson	Sample
Elrod	Lovelady	Sanders
Foster	Lyons	Sanford
Fuller	Malone	Smith (Lee)
Glover	Mitchell	Tunstall
Goodwyn	Moore	Turner
Gunter	Oliver	Vann
Haley	Parker	Weaver
Henley	Pearson	White (Lamar)
Hoffman	Peete	Woolf
Jenkins		

—58.

H. 1273. To provide for the transfer of all causes charging the commission of a misdemeanor, presented by indictment by the grand jury of the circuit court of Morgan county, Alabama, to the Morgan county law and equity court of Morgan county, Ala., and to provide for the trial and proceedings in said causes.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Jones	Pitts (Dallas)
Barton	Killen	Pitts (Perry)
Benners	King	Power
Benson	Kornegay	Pratt
Bloch	Lacy (Walker)	Price
Bulger	Lancaster	Rainer
Burney	Lawson	Rattray
Cooper	Lee (Barbour)	Rice
Cranford	Lee (Etowah)	Rowe
Crum	Lee (Houston)	Sample
Dudley	Lindsey	Sanders
Edwards	Long (Butler)	Seale
Elrod	Lovelady	Sherrod
Foster	Lyons	Smith (Elmore)
Glover	Malone	Smith (Etowah)
Haley	Moore	Smith (Lee)
Henley	Oliver	Turner
Hoffman	Parker	Williams
Jenkins	Peete	Woolf
John		

—58.

S. 504. To fix the time of holding the circuit court in the county of Limestone, in the Eighth judicial circuit of Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Jones
Barton	Glover	Killen
Benners	Goodwyn	King
Benson	Gunter	Kirby
Bloch	Haley	Kornegay
Bulger	Henley	Lancaster
Burney	Hoffman	Lawson
Crum	Jenkins	Lee (Barbour)
Edwards	John	Lee (Etowah)
Elrod	Johnson	Lee (Houston)

Lyons	Pratt	Sherrod
Malone	Price	Smith (Lee)
Moore	Rainer	Steagall
Oliver	Rice	Thompson
Parker	Rowe	Tunstall
Pearson	Sample	Turner
Peete	Sanders	Weaver
Pitts (Dallas)	Sanford	White (Lamar)
Pitts (Perry)	Seale	Woolf
Power		

—58.

H. 1275. To provide for the transfer to the Morgan county law and equity court, of all causes, pending in the chancery court of Morgan county, Alabama, at the time of the approval of this act, and to provide for the trial of said causes so transferred.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Killen	Pearson
Benners	King	Peete
Benson	Kirby	Pitts (Dallas)
Bloch	Kornegay	Power
Brown	Lacy (Walker)	Pratt
Bulger	Lancaster	Price
Burney	Lawson	Rainer
Cooper	Lee (Etowah)	Rattray
Edwards	Lee (Houston)	Rice
Elrod	Lovelady	Rowe
Foster	Lyons	Sample
Fuller	Malone	Sanders
Glover	Mitchell	Seale
Haley	Moore	Sherrod
Henley	McCrary	Smith (Lee)
Hoffman	McMillan	Tunstall
Hughston	Norville	Vann
John	Oliver	Weaver
Jones	Parker	Woolf

—58.

H. 1142. To repeal an act entitled an act to amend section 4715 of the Code of Alabama.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Long (Butler)	Price
Benners	Lovelady	Ragsdale.
Benson	Lyons	Rainer
Bloch	Malone	Rice
Brown	Mastin	Rowe
Bulger	Mitchell	Rushton
Burney	Moore	Sample
Crum	McCrary	Sanders
Doyle (Clark)	McMillan	Sanford
Dudley	Norville	Seale
Goodwyn	Oliver	Sherrod
Glover	Parker	Smith (Franklin)
Gunter	Pearson	Smith (Lee)
Haley	Peete	Vann
Jenkins	Pitts (Dallas)	Weaver
John	Pitts (Perry)	White (Lamar)
Johnson	Powell (Bullock)	White (Perry)
Jones	Powell (Covington)	Williams
Killen	Power	Woolf
Lawson	Pratt	

—58.

H. 1141. To repeal an act entitled an act to increase and regulate the fine and forfeiture fund of Lee county, and to provide for the payment of State's witnesses out of the same, approved March 4th, 1901.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Bulger	Fuller
Barton	Burney	Glover
Benners	Crum	Gunter
Benson	Dudley	Haley
Bloch	Foster	Henley

Jenkins	Mitchell	Sample
John	Moore	Rowe
Johnson	McCrory	Sample
Jones	McMillan	Sanders
Killen	Norville	Sanford
King	Oliver	Seale
Kirby	Parker	Sherrod
Lacy (Walker)	Peete	Smith (Lee)
Lancaster	Pitts (Dallas)	Steagall
Lawson	Pitts (Perry)	Thompson
Lee (Etowah)	Power	Tunstall
Lee (Houston)	Pratt	Vann
Lovelady	Price	Weaver
Lyons	Rainer	Williams
Malone		

—58.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, made the following report:

The committee on Rules reports that the several resolutions making the hereafter named bills special orders, are reported to the House favorably, and recommend that House bill 1359, "To provide for refurnishing and keeping in repair the State capitol and the several offices therein, and to provide for the improvement and keeping in order the capitol grounds," be made a special continuing order immediately after bill No. 363, on page 6 of the canendar, and following thereafter the following named bill shall be a special continuing order, viz.:

H. J. R. 253. To prevent the slaughter of birds and to authorize the superintendent of education to appoint a day to be known as "Bird Day" to be devoted to the study of bird life in the public schools of the State.

And the report of the committee was concurred in.

RESOLUTIONS.

The following resolutions were introduced:

By Mr. Lee, of Houston:

H. J. R. 291. Resolved by the House, the Senate concurring, that the Speaker of the House and the President of the Senate be and they are hereby authorized and requested to erase their signatures from House bill No. 810, and that said bill be returned to the Senate for further consideration.

On motion of Mr. Lee, of Houston, the rules were suspended and the resolution was adopted.

By Mr. Maner:

H. R. 292. Resolved that Senate bill No. 541 be made a special, paramount, continuing order for Thursday, July 24th, 1907, at eleven o'clock a. m. displacing all other orders set for that time. Relates to appropriation for defraying expenses in railroad rate litigation.

And the resolution was referred to the committee on Rules.

HOUSE JOINT RESOLUTION.

By Mr. Rice, (by request):

H. J. R. 293. A joint resolution of the House of Representatives, the Senate concurring, to establish a commission, consisting of three commissioners, whose duty it shall be to make a diligent and thorough investigation into the status of the several State schools, for the purposes herein, denominated finishing schools, and to formulate, in conformity with the suggestions of this resolution, a plan or scheme, or plans or schemes, for the consolidation of such State schools, and to report same in the manner hereinafter set forth and designated. Whereas, the State now maintains, at heavy expense two institutions of learning, the University at Tuscaloosa and the Polytechnic Institute at Auburn, in both of which is done graduate work in academic, technical and professional training; and, whereas, the work

accomplished in one of these institutions is, in large part, a duplicate of the work accomplished in the other; and,

Whereas, the work of both these schools of whatsoever nature this work may be, can be more satisfactorily accomplished and at a great reduction in the cost of maintenance, in one specially prepared, adequate, and well appointed school; and,

Whereas, the State now maintains several colleges for the training of teachers, known as Normal schools; and,

Whereas, the work now accomplished by these several Normal schools could be more successfully, and more economically accomplished in one teachers' college for whites and one for negroes; and,

Whereas, under and by the union of the present State University and the present Alabama Polytechnic Institute, and under and by the union of the present State Normal colleges into two teachers colleges, one for whites and one for negroes, the resulting institutions would, in each event, receive the apparatus, appliances, libraries, museums and other movable equipment of the institutions thus consolidated; and,

Whereas, excellent buildings and grounds would remain to the State in which could be established high schools in which industrial education, as well as academic, could be taught with great advantage to the youth of the State;

Therefore, be it resolved by the Legislature of Alabama, That a commission, consisting of three members, is hereby provided for:

That the said commission shall diligently, faithfully and thoroughly examine into the condition of the schools heretofore referred to, with a view to the consolidation of the present University of Alabama and the Alabama Polytechnic Institute into one institution to be known as the University of Alabama; and, likewise, of the white normal schools, with a view to their consolidation into one normal school for whites, to be known as the Alabama Teachers' College; and, likewise, of the negro normal schools, with a view to their con-

solidation into one normal school for negroes, to be known as the Negro Normal College.

That the said commission shall have access to all records of the institutions subject to their investigations, and shall be aided and assisted by the officers of said institutions in obtaining such full, complete, and adequate information with reference to the said several institutions as they, the said commission, may desire;

That, as further aid, the commission may employ an expert stenographer at the rate of \$—— dollars per diem for each day actually engaged in the services of the commission as such; and likewise, the said commission may employ an expert accountant at the rate of——dollars per diem for each day actually engaged in the service of the commission as such;

That each member of said commission shall receive as compensation for his service, five dollars per diem for each day he is actually employed under the terms of this resolution, and that actual travelling expenses of the commission shall be paid at the rate of——cents per mile;

That the sum of three thousand dollars, to be taken from any funds not otherwise appropriated, is hereby appropriated and set apart as a fund out of which the expenses of the commission, including the per diem expenses of the members of the commission and of the stenographer and of the expert accountant, the mileage expenses of the commission, of the stenographer, and of the expert accountant and such other expenses as are incident to the work of the commission; and the auditor is hereby authorized and empowered to approve and allow and order paid the sworn accounts of the commission for their own services and mileage, and for the services and milcage of the stenographer and accountant employed by the commission; provided, each such account is sworn to by all the members of the commission present and participating in the work during the full period for which any account is made; and provided that the aggregate amount of the accounts presented by the said commission shall not exceed the

amount of three thousand dollars hereupon appropriated.

That the commission shall make a full and complete report setting forth, (1) a full, clear, and complete statement of their investigations; (2) full and explicit recommendations as to the best means of affecting the consolidations contemplated by this resolution; (3) a carefully prepared statement of the comparative values of offers received by the commission for the location of the schools which may be established as a result of their investigations and recommendations; and (4) any other statements pertinent to the work of the commission.

That the original report of the commission shall be filed in the office of his excellency, the governor of Alabama, and that a sworn copy of said original report shall be retained by the commission, and that a similar sworn copy of said original report shall be furnished to each of the following: (a) a copy to the State Superintendent; (b) a copy to the President of the Senate; (c) a copy to the Speaker of the House of Representatives; (d) a copy to the chairman of the House Committee on Education; and (e) a copy to the chairman of the Senate Committee on Education.

That, within thirty days after the report of the commission has been filed in the office of the governor, as aforesaid, he, the said governor, shall, after not less than five days' notice, call together in the capitol the commission, the President of the Senate, the Speaker of the House, the State Superintendent of Education, the Senate Committee on Education, and the House Committee, for the purpose of hearing and discussing the report of said commission.

That——copies of the report of said commission shall be provided to each member of the conference above provided for.

That this conference shall not remain in session longer than twenty days of actual work, and that the members of the commission shall be paid —— dollars per diem for the days of their actual attendance on this conference, and —— cents per mile as mileage for the

miles actually traveled by the nearest route, in attending this conference, and the members of the House and of the Senate Committees on Education shall receive the per diem and mileage which is now granted and in the manner as now granted to them as legislators in attendance on the regular sessions of the Legislature, and that the Governor, the President of the Senate, and the State Superintendent of Education shall each attend this conference as officers of the State and without receiving any compensation except such as is already allowed them as such officers.

That upon the recommendation of two thirds of the members constituting this conference, not including the aforesaid commission, it shall be the duty of the governor to call and convene the Legislature in extra session at the capitol within thirty days after this conference has adjourned, first having given twenty days' notice of the time set for such extra session and the purposes for which it is convened; or the governor may, of his own motion, so order such extra session of the Legislature.

That all expenses incident to the execution of the evident purposes of this resolution, and not herein specially provided for, shall be paid out of any moneys in the State treasury not otherwise appropriated, in the same manner as they are paid during a regular session of the Legislature.

And the resolution was referred to the committee on Education.

MOTION IN WRITING.

Mr. Thompson made the following motion in writing:

Notice is hereby given that motion will be made on July 24th to take from the adverse calendar and place on the calendar for a third reading H. B. No. 724, entitled an act to incorporate the Tuskegee Normal and Industrial Institute.

Mr. Sample gave notice that on tomorrow he would move to reconsider the vote by which the bill H. 916 was lost.

Mr. Sample called up his motion to take from the adverse calendar the bill H. 332, and asked that the motion be postponed until tomorrow.

ADJOURNMENT.

The hour of 10 o'clock having arrived, the House adjourned until 8:30 o'clock tomorrow.

FORTY-FOURTH DAY.

House of Representatives,
Wednesday, July 24, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by Rev. Mr. Avery, of the House.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Bulger	Fuller
Alford	Burney	Glover
Altman	Cannon	Goodwyn
Armstrong	Carmichael (Clay)	Gunter
Arnold	Coleman (Lowndes)	Haley
Arrington	Coleman (Marshall)	Henley
Avery	Cooper	Hoffman
Ballard (Autauga)	Cranford	Hughston
Ballard (Pike)	Crum	Jenkins
Baltzell	Doyle (Clark)	John
Barton	Doyle (Marengo)	Johnson
Benners	Dudley	Jones
Benson	Edwards	Killen
Bloch	Elrod	King
Brown	Foster	Kirby

Kornegay	Parker	Sanford
Lacy (Walker)	Pearson	Seale
Lancaster	Peete	Sherrod
Lawson	Pitts (Dallas)	Smith (Elmore)
Lee (Barbour)	Pitts (Perry)	Smith (Elmore)
Lee (Etowah)	Powell (Bullock)	Smith (Franklin)
Lee (Houston)	Powell (Covington)	Smith (Lee)
Long (Butler)	Power	Steagall
Lovelady	Pratt	Thompson
Malone	Price	Tunstall
Maner	Ragsdale	Turner
Middleton	Rainer	Vann
Mitchell	Ratray	Weaver
Moore	Rice	White (Lamar)
McDuffie	Rowe	White (Perry)
McMillan	Rushton	Williams
Norville	Sample	Woolf
Oliver	Sanford	

—100.

A quorum was present.

JOURNAL.

The acting chairman of the standing committee on the Revision of the Journal, made the following report: Mr. Speaker:

We, your committee on the Revision of the Journal, beg leave to report as follows:

We have examined the journal for the Forty-third day and find the same to be correct.

R. C. Smith,
Acting Chairman.

The report of the committee was concurred in, and the journal of the Forty-third day was approved.

PRIVILEGES OF THE FLOOR

Were extended to Hon. W. L. Pitts, Jr., of Perry county, for today.

REPORT OF RULES COMMITTEE.

Mr. John, from the standing committee on Rules, returned to the House the following resolution, with a favorable report with amendment: H. J. R. 283, 285 and 289; and the resolutions as amended were adopted.

BILLS ON SECOND READING.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted on the following bill and ordered same returned to the House without recommendation.

H. 1149. (Without recommendation.) To appropriate for the purchase of a medal for each surviving soldier and sailor of the confederate army who is a resident citizen of the State of Alabama.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1324. To amend section 2904 of the Code of Alabama as now amended.

H. 1369. For the relief of A. J. Brooks, of Jefferson county, Alabama.

S. 547. To appropriate the sum of \$537.72 to pay the expenses of the Fertilizer and Cotton Seed Oil Mill Investigating Committee and for the disbursement of the same.

Mr. Smith, of Elmore, chairman of the standing committee on Public Roads and Highways, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with a substitute:

H. 1280. (With substitute.) To provide for the construction and maintenance of good public roads and bridges in Perry county, Alabama; for levying a tax for the same, and how the said tax be expended.

Mr. Smith, of Elmore, chairman of the standing committee on Public Roads and Highways, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1377. To provide for the construction, repairing, working and maintaining of the public roads of Henry county, Alabama, and to provide for the levying a special property and a per capita tax for same, and for the punishment of defaulters.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1365. For the relief of B. H. Worthy, of Clay county, to validate warrants in the sum of \$29.15 held by him against the road and bridge fund of said county, and to authorize the county treasurer of said county to pay said warrants.

H. 1215. For the relief of J. W. T. Abernathy, an ex-confederate soldier of Chambers county.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 512. To confer equity jurisdiction upon the circuit courts in Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit court in said counties, and to provide a register for said courts.

S. 485. To amend section (6) six, of an act entitled an act to create the office of associate judge of the city court of Gadsden; to provide for the qualifications, election and appointment of such judge; to fix the term of office; to define his powers and duties, and to provide for the payment of his salary.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had

acted on the following bill and ordered same returned to the House with a favorable report, with a substitute:

S. 295. (With substitute.) To legalize and make effective the registration of deeds of conveyance, heretofore filed and recorded in the office of the judge of probate of the proper county, in this State, and of deeds of conveyance heretofore executed, which may be so filed and recorded within two years after the approval of this act.

Mr. Haley, chairman of the standing committee on Local Legislation, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with a substitute:

S. 326. (With substitute.) To repeal an act "Entitled an act to amend section 4630 of the criminal Code, so far as the same relates to beats No. 10 and 11, in Bibb county, Ala., same approved Feb. 21st, 1899."

Mr. Haley, chairman of the standing committee on Local Legislation, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

S. 560. To provide for the appointment by the judges of the city court of Birmingham, of the necessary bailiffs for said court and to fix the duties, powers, liabilities and compensations of said bailiffs and to provide for the payment of their compensation.

S. 575. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county or their authorized agents of said county, borrowing money for the use and benefit of said county, and to ratify and confirm the warrants given for money so borrowed, and for the interest thereon, and for warrants heretofore issued for said purpose.

S. 527. To provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery and clerks of the city court of Montgomery and the

county court in and for said county in criminal cases where the State fails to convict, out of the general fund of said Montgomery county. And to provide for the compensation for the clerk of the board of revenue for services required of him under this act.

H. 1379. To repeal an act to regulate the salaries of teachers in public schools outside of any incorporated towns in Walker county, Alabama, approved March 5th, 1901.

H. 1372. To fix the time when the tax collector and tax assessor of Walker county shall begin the round and to visit the several precincts of said county for the purpose of assessing and collecting taxes.

H. 1347. To allow the circuit clerk of Lamar county an assistant clerk.

H. 1345. To amend sections 5 and 7 of an act entitled "An act to provide and establish a stock law for Lamar and Fayette counties," so far as the same relates to Browns' precinct, No. 4, in Lamar county.

S. 574 1-2. To ratify and confirm and legalize all warrants heretofore issued by the court of county commissioners of Wilcox county for the use and benefit of the underwriters of the Camden branch of the Louisville and Nashville railroad.

S. 592. To amend section 1 of an act entitled an act to alter, rearrange and extend the corporate limits of the city of Mobile, Alabama, approved March 2, 1907.

S. 478. To provide for the election of a harbor master and three deputy harbor masters and to regulate their duties and provide for their compensation.

S. 418. To fix the compensation to be allowed the sheriff and clerk of the circuit court of Conecuh county, Alabama, for all official duties for the compensation of which no express provision is made by law.

S. 502. To repeal all statutes and laws establishing county courts and proceedings therein, with monthly terms for the trial of misdemeanors so far as the county of Madison is concerned.

S. 491. To vacate and annul the dedication of the following highways and parts of highways, situated in Birmingham, Jefferson county, Alabama; to-wit: All

of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property; all of Eighth street from First avenue north, to the right of way of the Alabama Great Southern railroad company; all of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron and Railroad Company.

S. 492. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plan and survey of Smithfield by Dr. Joseph R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Sally avenue; all of Joseph street lying between Valley Creek canal and Irene avenue; all of Mortimer street lying between Valley Creek canal and Agnes avenue.

S. 501. To repeal an act entitled an act to regulate the trial of misdemeanors in Madison county, approved February 23rd, 1899, Acts 1898-99, page 1553, and to transfer all causes and proceedings pending in the county court of Madison county as regulated or established by said act and all dockets and records thereof, to the law and equity court of Madison county, and to give such court jurisdiction of such causes, and proceedings, and full power and authority thereover.

S. 415. To repeal an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large."

S. 421. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

S. 196. To provide for the election of only one justice of the peace for each precinct within or partly within the city of Montgomery; and to define the powers and jurisdiction of said justices of the peace.

H. 883. To authorize the board of county commissioners of Tuscaloosa county to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, and to pay from the general fund of the county such sum or sums of money as said board may deem necessary or proper for such purpose.

S. 526. To regulate the fine and forfeiture fund of Montgomery county, and provide for the registration and payment of claims against said fund.

S. 489. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit:

All of Sadler Avenue; the south half of Lucian avenue from center of Emma street to center of Telula street; all of Lucian avenue from center of Telula street to eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block 25 and north of center of Valley Creek canal; all of Telula street lying south of center of Lucian avenue and north of Center of Valley Creek canal; the east half of Telula street lying between a continuation of the south line of the alley running easterly and westerly through block twenty-five and center of Lucian avenue; all of Emma street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-eight, and north of the center of Valley Creek canal; the east half of Emma street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all the alleys in or through blocks twenty-nine, thirty and thirty-one; all being located according to the survey, map and plan of Owenton a map of which is recorded in map book two, at page twenty-six, in the office of the probate judge of Jefferson county, Alabama.

S. 490. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All that part of the alleys lying and running through blocks 83, 122, 126 and 168, lying within one hundred feet of Fourteenth street and the continuation thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land & Improvement Company, and situated in Bessemer, Jefferson county, Alabama.

Also all that part of the alley in block B of Hall's addition to Bessemer map and plan of the survey of which is recorded in the office of judge of probate of Jefferson county, Alabama, in map book 3 at page 23, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama.

Also all that part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama.

Also all that part of Seventh street lying between First avenue and Alabama avenue in the city of Bessemer, Jefferson county, Alabama, and also all the alleys lying within and running through blocks two hundred and one and two hundred and two in the city of Bessemer, Jefferson county, Alabama.

Mr. Arnold, chairman of the standing committee on Privileges and Elections, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1320. To further regulate elections in the State of Alabama.

Mr. Arnold, chairman of the standing committee on Privileges and Elections, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment:

H. 1302. (With amendment.) To regulate primary elections in the State of Alabama.

Mr. Smith, of Elmore, chairman of the standing committee on Public Roads and Highways, reported that said committee in session had acted on the following bill and ordered same returned to the House without recommendation:

H. 1282. (Without recommendation.) To amend section 4 and section 6 of an act entitled an act to regulate running, operating or driving automobiles, loco-

mobiles and motor vehicles of like kind upon the public roads and highways of this State, approved October 9, 1903.

Mr. Haley, chairman of the standing committee on Local Legislation, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report:

S. 407. To vacate the dedication of the following alleys and part of a street in the Elyton Land Company's survey in the city of Birmingham, Alabama: The alley bisecting block 94 and the alley bisecting block 95 and that part of Fifteenth street lying between the north line of First avenue and the south line of Second avenue; and to provide compensation for any property owner injured thereby.

Mr. Ballard, of Autauga, chairman of the standing committee on Temperance, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report:

S. 572. To prohibit the sale, barter, exchange, or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages, in the county of Houston, in the State of Alabama; and to provide for an offense and a penalty for the sale, barter, exchange, or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages in the said county of Houston.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

H. 1381. To amend section 2574 of the Code.

H. 1370. To provide a commission to investigate the charges made against the management of the Insane Hospitals; to prescribe its powers and duties, and to pay the per diem, mileage and expenses thereof.

H. 1338. To amend section 932 of the Code of 1896.

H. 1329. Proposing an amendment to section 93 of the constitution, which shall authorize the State to receive interest on funds deposited by it in designated depositories; and providing for the submission of said amendment to the qualified electors of the State for their adoption or rejection at the general election to be held on the first Monday after the first Tuesday in November, 1908.

H. 1281. To propose certain amendments to the constitution of the State of Alabama, pertaining to education.

S. 402. To provide for the holding of a term of the circuit court of the Fifth judicial circuit of Coosa county, at Goodwater, and to regulate the same.

S. 494. To fix the times and places of holding the chancery court in the Eighth district of the Northern division, composed of the county of Madison.

S. 493. To amend sections 7, 8, 14, 21, 24, 27, 29 and 32, of an act entitled an act to establish a law and equity court for Madison county, approved February 26th, 1907.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report, with amendment:

H. 1216. (With amendment.) To investigate the validity of certain claims against the State of Alabama.

H. 1240. (With amendment.) To fix the salary of the attorney general of Alabama.

Mr. Armstrong, chairman of the standing committee on Public Printing, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 1364. To amend sub-division (b) of an act to amend section 2584 of the Code of 1896, approved March 4, 1907.

H. 1234. To authorize and direct the court of county commissioners of Crenshaw county to pay for advertising the notice and substance of local bills introduced in the Legislature for said county, out of any money in the treasury not otherwise appropriated, when the bill applies to the entire county and ordered published by the representative of said county and this act shall apply to and include the notice and substance of bills advertised at and during the present session of the Legislature.

The above and foregoing bills were severally read a second time, and placed on the calendar.

BILLS REPORTED ADVERSELY.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee had acted on the following bills, in session, and ordered the same returned to the House with an adverse report:

H. 297. To regulate the situs of a debt for the purpose of garnishment, and otherwise regulate the process of garnishment.

H. 315. To consolidate the "City Court of Birmingham," the "Circuit Court of Jefferson County," the "Criminal Court of Jefferson County," and the "Chancery Court of Jefferson County" into one court to be called the "Circuit Court of Jefferson County," with a sufficient number of judges for the transaction of the business of such consolidated court, as provided by section 148 of the constitution of Alabama.

H. 855. To provide for and regulate the salary of the clerk of the supreme court and to provide for the disposition of the fees of his office.

H. 1353. To ratify and confirm the acts of the courts of county commissioners and boards of revenue of the several counties of the State in allowing claims of judges of probate for fees in felony cases on preliminary trials in the county courts.

Mr. Arnold, chairman of the standing committee on Privileges and Elections, reported that said committee

in session had acted on the following bills, and ordered same returned to the House with an adverse report:

H. 1086. To amend an act, approved October 1st, 1903, to regulate primary elections in the State of Alabama.

H. 1258. To amend section 5 of an act entitled an act to further regulate elections in the State of Alabama, approved October 9th, 1903.

H. 1212. To extend the term of tax collectors, tax assessors, coroners and county treasurers.

H. 1177. To amend sections 5, 6, 14, 18, 55 1-2 and 86 of an act entitled an act to further regulate elections in the State of Alabama, approved October 9th, 1903.

H. 1153. To provide that all elections held in this State under the general law with reference to stock law districts, shall be held at such time or times as may be designated by the courts of county commissioners, boards of revenue, or other courts of like jurisdiction, of the respective counties, and to empower such tribunals to supervise and regulate all such elections.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted upon the following bills and ordered same returned to the House with an adverse report:

H. 1361. To make an appropriation for the payment of the expenses of confederate reunions in this State.

H. 1143. To amend section 394 (146) of the Code of Alabama 1896, as amended by act approved Jan. 27, 1899.

H. 1286. For the relief of L. D. Whitehead, a confederate soldier of Talladega county.

S. 172. To provide for the erection of a monument to Alabama's confederate dead who are buried in Stone-wall Cemetery at Winchester, Virginia.

S. 187. To make an appropriation for the marking and caring for the graves of the confederate soldiers in the State of Ohio.

H. 588. For the relief of Taylor Smith.

H. 563. To appropriate the two and three per cent. funds in the treasury of Alabama, to the Montgomery

Northern Railroad Company, chartered under the laws of the State of Alabama.

H. 317. To amend sections 1, 12 and 23 of an act, entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved February 10th, 1899.

H. 319. To amend section 16 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved February 10th, 1899, amended March 4, 1901.

H. 1188. To refund to Chas. Bassett, Gus Bassett, D. J. O'Connel and T. L. Baker, or their heirs, the sum of three hundred and forty dollars, being purchase money for certain lands heretofore erroneously sold to them by the State of Alabama.

H. 1202. To refund money to E. F. Bedsole, as the surviving partner of the late firm of D. W. Bradley & Company, of Crenshaw county.

Mr. Sherrod, acting chairman of the standing committee on Game, Fish and Forestry Preservation, reported that said committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

H. 1348. To compel the owners of dogs to restrain and confine same to kennels or yard premises of the homes during the months of April, May and June of each year.

Mr. Armstrong, chairman of the standing committee on Public Printing, reported that said committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

H. 1346. To provide for the publication of the local acts of the Legislature so far as they relate to Lamar county in a newspaper of that county and fix the compensation for same.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Lee, of Barbour:

H. 1383. To provide for the payment of witnesses before grand juries and State witnesses in all criminal cases out of the general funds, out of which grand juries are paid, and to provide compensation for the clerk of the board of revenue of the several counties for services required of him under this act.

Judiciary.

By Mr. Coleman, of Lowndes, (with notice and proof):

H. 1384. To appropriate the sum of fifty dollars annually out of the State treasury for the relief of Mrs. Sudie Bradley Lee, an indigent widow, a resident of Jefferson county, Ala.

Appropriations.

Notice and Proof. H. 1384.

NOTICE.

Notice is hereby given that at the session of the Alabama Legislature which meets July 9, 1907, there will be introduced a bill, the substance of which will be as follows:

To appropriate the sum of fifty dollars annually out of the State treasury for the relief of Mrs. Sudie Bradley Lee, an indigent widow, a resident of Jefferson county, Ala.

The State of Alabama, }
Jefferson County. }

Personally appeared before me, the undersigned authority, a notary public in and for said county in said State, E. W. Jones, who, being by me first duly sworn, on oath says that he is the editor of the Jones Valley

Times, a newspaper published in the city of Birmingham, Jefferson county, Alabama, which is a weekly newspaper, and that the notice, a copy of which is hereto attached, was inserted in said Jones Valley Times, and has been published once a week for four consecutive weeks in said newspaper. E. W. Jones.

Sworn to and subscribed before me this 8th day of July, 1907.

Geo. E. Bush,
Notary Public.

By Mr. Arnold:

H. 1385. To amend section 1 of an act, entitled an act "to define and prohibit the unlawful giving, issuing or receiving free passes, rebates, reductions or discounts for transportation by common carriers and to punish the unlawful giving, issuing, using or receiving the same," approved Feb. 14, 1907.

Commerce and Common Carriers.

By Mr. Arnold, (with notice and proof):

H. 1386. To amend section two (2) of an act entitled "An act to regulate the practice in the circuit court of Calhoun county," approved 12th day of March, 1907.

Judiciary.

Notice and Proof. H. 1386.

The State of Alabama, }
Calhoun County. }

Before me, I. E. Watson, clerk of the circuit court, for said State and county, personally appeared E. B. McKee, who, being duly sworn, deposes and says on oath that he is the general manager of the Evening Star Publishing Company, publishers of The Anniston Evening Star, a newspaper published in the city of Anniston, in Calhoun county, Alabama, and that the notice hereto attached was published for thirty days in The Anniston Evening Star, the first insertion of said notice being on June 19th, 1907, and the last insertion being on July 19th, 1907.

E. B. McKee,

Gen'l Mang'r Evening Star Pub. Co.

Sworn to and subscribed before me on this 19th day
of July, 1907.

I. E. Watson,
Clerk Circuit Court, Calhoun County, Alabama.

NOTICE.

Notice is hereby given that the Legislature will be asked at its adjourned session to amend section 2, of an act to regulate the practice in the circuit court of Calhoun county, Alabama, passed at the first session of the present legislature, so as to require plaintiff's or defendant's in demanding a jury for the trial of any cause before said court, that said jury shall be demanded not less than ten days before the first day of the term of said court at which said cause shall stand for trial.

By Mr. Jenkins, (by request):

H. 1387. To regulate the discharge of firearms near the dwelling house, curtilage or premises of another.

Revision of Laws.

By Mr. Jenkins, (by request):

H. 1388. To amend section 5606 of the Code of Alabama.

Revision of Laws.

By Mr. Steagall:

H. 1389. To fix the fee to be paid on the issuance of a warrant by the governor for the arrest of a fugitive from justice of a foreign State or territory.

Judiciary.

By Mr. Rushton, (with notice and proof):

H. 1390. To provide for the appointment of an official stenographer for the Second judicial circuit of Alabama, and to prescribe his duties and to fix his compensation.

Judiciary.

Notice and Proof. H. 1390.

NOTICE.

Notice is hereby given that a bill will be introduced at the coming adjourned term of the Legislature to pro-

vide for the passage of an act to create the office of circuit court stenographer for the 2nd judicial circuit of Alabama, and to provide for the appointment or election of such officer and to prescribe his duties, etc.

The State of Alabama, }
Butler County. }

Before me, O. A. Lane, a notary public in and for said county and State, personally appeared Abe Lehman, who, being duly sworn, doth depose and say that he is the publisher of The Living Truth, a newspaper published weekly in Greenville, said State and county; that the public notice hereto attached was published for four consecutive weeks, beginning June 1st, 1907, and ending July 29th, 1907, without cost or charge to the State of Alabama.

Abe Lehman.

Sworn to and subscribed before me this the 17th day of July, 1907.

O. A. Lane,
Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced at the coming adjourned term of the Legislature of Alabama to provide for the passage of an act to create the office of circuit court stenographer for the 2nd judicial circuit of Alabama, and to provide for the appointment or election of such officer and to prescribe his duties, etc.

The State of Alabama, }
Conecuh County. }

Before me, S. L. Tisdale, clerk of the circuit court in and for Conecuh county, Alabama, personally appeared Geo. W. Salter, Jr., who, being duly sworn, deposes and ~~says that he is editor and publisher of The Evergreen~~ Courant, a newspaper published weekly at Evergreen, said county and State, and that a copy of the above attached notice appeared at least once a week for four consecutive weeks in said newspaper and prior to the 3rd day of July, 1907.

Geo. W. Salter, Jr.

Subscribed and sworn to before me on this the 11th day of July, 1907.

S. L. Tisdale.

NOTICE.

Notice is hereby given that a bill will be introduced at the coming adjourned term of the Legislature of Alabama to provide for the passage of an act to create the office of circuit court stenographer for the 2nd judicial circuit of Alabama, and to provide for the appointment or election of such officer and to prescribe his duties, etc.

The State of Alabama, }
County of Lowndes. }

Before me, R. L. Goldsmith, a notary public in said county and State, personally appeared Mrs. W. M. Garrett, known to me to be the owner and manager of the Citizen-Examiner, a newspaper published in said county, who, being by me first duly sworn, says on oath that the above notice was published in said Citizen-Examiner once a week for four consecutive weeks, the last publication of said notice appearing on and in the issue of July 5th, 1907.

Mrs. W. M. Garrett.

Subscribed and sworn to before me this the 20th day of July, 1907.

R. L. Goldsmith,
Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced at the coming adjourned term of the Legislature of Alabama to provide for the passage of an act to create the office of circuit court stenographer for the 2nd judicial circuit of Alabama, and to provide for the appointment or election of such officer and to prescribe his duties, etc.

The State of Alabama, }
Escambia County. }

Before me, J. G. Carlovitz, a notary public in and for said county and State, personally appeared on this date William D. Sowell, who, being first duly and legally sworn, deposes and says that he is the editor and publisher of The Pine Belt News, a weekly newspaper pub-

lished in the town of Brewton, county of Escambia and State of Alabama; that the notice hereto attached and marked exhibit "A" was published in said newspaper once a week for four (4) consecutive weeks, and that said notice appeared in said newspaper on the following dates, viz.: June 6th, June 13th, June 20th and June 27th, 1907.

William D. Sowell.

Sworn to and subscribed before me this the 11th day of July, 1907.

J. G. Carlovitz,
Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced at the coming adjourned term of the Legislature of Alabama to provide for the passage of an act to create the office of circuit court stenographer for the 2nd judicial circuit of Alabama, and to provide for the appointment or election of such officer and to prescribe his duties, etc.

(Exhibit "A".)

The State of Alabama, }
Crenshaw County. }

Personally appeared before me, M. N. Rushton, a notary public in and for said county, W. B. Howard, who, being duly sworn, says on oath that he is the editor and publisher of the Crenshaw County Critic, a newspaper published in said county, and that the notice and substance of a bill, providing for the appointment of a stenographic reporter for the Second judicial circuit of Alabama, and prescribing and defining his duties, a copy of which is hereto attached, was published in said Crenshaw County Critic once a week for four consecutive weeks before this date. This 11th day of July, 1907.

W. B. Howard.

Subscribed and sworn to before me this 11th day of July, 1907.

M. N. Rushton,
Notary Public.

BILLS ON THIRD READING.

H. 192. To amend section 5001 of the criminal Code, and to provide for the organization of a grand jury at adjourned term of the circuit or city courts.

Was read a third time, at length, and passed.

Yeas, 37; nays, 24.

Yeas:

Messrs:—

Speaker	Crum	Kornegay
Armstrong	Doyle (Clark)	Lacy (Walker)
Avery	Doyle (Marengo)	Lovelady
Barton	Edwards	Maner
Benness	Elrod	Mastin
Benson	Goodwyn	Mitchell
Bloch	Henley	McMillan
Burney	Hoffman	Norville
Carmichael (Clay)	Hughston	Peete
Coleman (Lowndes)	John	Pratt
Coleman (Marshall)	Johnson	Sanders
Cooper	King	Smith (Lee)
Cranford		

—37.

Nays:

Messrs:—

Alford	Kornegay	Rice
Altman	Lancaster	Sherrod
Ballard (Pike)	Lee (Etowah)	Smith (Elmore)
Benson	Lee (Houston)	Smith (Franklin)
Brown	Malone	Turner
Cannon	Pitts (Dallas)	Vann
Glover	Pitts (Perry)	Weaver
Killen	Price	White (Perry)

—24.

On motion of Mr. Doyle, of Clarke, the bill, H. 192, was sent forthwith to the Senate without engrossment.

S. 344. To further regulate the opening, closing and operating saloons and giving away, or selling spirituous, vinous or malt liquors under a license, from the State and to punish violations thereof.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Temperance, said amendment being as follows:

"Amend by adding: Sec. 3. The number of inhabitants in any city or town or place shall be determined by the last federal census."

Mr. Pitts, of Dallas, offered the following amendment to the amendment reported by the committee:

Amend amendment by striking out the words "federal census" and insert in lieu thereof the following, "legally authorized census."

And the amendment offered by Mr. Pitts, of Dallas, to the amendment was adopted.

Mr. Long, of Butler, offered the following amendment to the amendment:

Amend committee amendment by adding:

Any drug store selling whiskey for any purpose is specifically understood to come under the provisions of this bill.

On motion of Mr. Lovelady, the amendment was laid upon the table.

And the amendment reported by the committee, as amended by the amendment of Mr. Pitts, of Dallas, was adopted.

Yeas, 68; nays, 0.

Yeas:

Messrs:—

Speaker	Bulger	Gunter
Altman	Burney	Henley
Armstrong	Cannon	Hoffman
Arnold	Carmichael (Clay)	Hughston
Arrington	Coleman (Marshall)	John
Ballard (Autauga)	Crum	Johnson
Ballard (Pike)	Doyle (Marengo)	Jones
Baltzell	Foster	Killen
Benners	Fuller	Kirby
Bloch	Glover	Kernegay
Brown	Goodwyn	Lacy (Walker)

Lancaster	Pitts (Dallas)	Sanford
Lee (Houston)	Pitts (Perry)	Smith (Elmore)
Lovelady	Powell (Bullock)	Smith (Etowah)
Lyons	Powell (Covington)	Smith (Franklin)
Malone	Power	Smith (Lee)
Maner	Ragsdale	Tunstall
Mitchell	Rainer	Turner
Moore	Rice	Vann
McMillan	Rowe	Weaver
Norville	Rushton	White (Lamar)
Parker	Sample	White (Perry)
Peete	Sanders	Williams

—68.

And the bill:

S. 344. To further regulate the opening, closing and operating saloons and giving away, or selling spirituous, vinous or malt liquors under a license from the State and to punish violations thereof.

As amended, was read a third time, at length, and passed.

Yeas, 67; nays, 9.

Yeas:

Messrs:—

Speaker	Crum	Lancaster
Altman	Doyle (Clark)	Lawson
Armstrong	Doyle (Marengo)	Lee (Barbour)
Arnold	Elrod	Lee (Etowah)
Arrington	Foster	Lee (Houston)
Avery	Fuller	Lovelady
Ballard (Autauga)	Glover	Mastin
Ballard (Pike)	Goodwyn	Mitchell
Baltzell	Haley	McMillan
Benners	Hughston	Oliver
Benson	Jenkins	Pearson
Bloch	John	Peete
Brown	Johnson	Pitts (Dallas)
Bulger	Jones	Powell (Bullock)
Burney	Killen	Powell (Covington)
Cannon	King	Pratt
Carmichael (Clay)	Kirby	Rainer
Coleman (Marshall)	Lacy (Walker)	Rice

Rowe	Sherrod	Vann
Rushton	Smith (Elmore)	Weaver
Sample	Smith (Lee)	White (Perry)
Sanders	Steagall	Williams
Seale		

—67.

Nays:
Messrs:—

Cooper	Edwards	Gunter
Hoffman	Long (Butler)	Lyons
Norville	Parker	Woolf

—9.

REPORT OF RULES COMMITTEE.

Mr. John, from the standing committee on Rules, returned to the House the following resolution, with a favorable report:

Rules Committee:

H. R. No. 294. Resolved, that the morning session of the House for today be extended until 6 p. m. and that the House recess from 1 to 3 p. m.

And the resolution was adopted.

On motion of Mr. Steagall, the motion to reconsider vote by which the bill, H. 916, was lost on yesterday, was postponed until this afternoon.

BILL ON THIRD READING.

H. 592. To prohibit the employment of any person to labor in or about any cotton factory in this State for more than ten hours a day.

Mr. Smith, of Elmore, offered the following amendment to the bill:

Amend the caption and section one of said bill by striking out the words "ten hours per day" where they occur therein and insert in lieu thereof the words "sixty hours per week."

Mr. Maner moved to table the bill and pending amendments, and the motion to table was lost.

Yeas, 15; nays, 57.

Yeas:

Messrs:—

Altman	Glover	Moore
Arrington	Haley	Peete
Benners	John	Pitts (Dallas)
Benners	Jones	Sample
Elrod	Maner	Woolf

—15.

Nays:

Messrs:—

Speaker	Henley	Pitts (Perry)
Alford	Hoffman	Powell (Covington)
Arnold	Hughston	Powell (Bullock)
Avery	Jenkins	Pratt
Ballard (Autauga)	Killen	Price
Bloch	King	Ragsdale
Bulger	Lacy (Walker)	Rainer
Burney	Lancaster	Rattray
Cannon	Lawson	Rushton
Carmichael (Clay)	Lee (Barbour)	Sanford
Coleman (Lowndes)	Lee (Houston)	Sherrod
Coleman (Marshall)	Long (Butler)	Smith (Elmore)
Cooper	Lyons	Smith (Franklin)
Crum	Malone	Smith (Lee)
Doyle (Clark)	Mastin	Turner
Doyle (Marengo)	Mitchell	Weaver
Dudley	McDuffie	White (Lamar)
Edwards	Oliver	White (Perry)
Goodwyn	Pearson	Williams

—57.

And the amendment was adopted.

Yeas, 74; nays, 0.

Yeas:

Messrs:—

Speaker	Arnold	Benson
Alford	Avery	Bloch
Altman	Ballard (Autauga)	Bulger
Armstrong	Benners	Burney

Cannon	Johnson	Powell (Bullock)
Carmichael (Clay)	Jones	Pratt
Coleman (Lowndes)	King	Price
Coleman (Marshall)	Kirby	Ragsdale
Cooper	Kornegay	Rainer
Crum	Lacy (Walker)	Rice
Doyle (Clark)	Lancaster	Rowe
Doyle (Marengo)	Lawson	Rushton
Dudley	Lee (Barbour)	Sanders
Edwards	Lee (Houston)	Sanford
Elrod	Long (Butler)	Seale
Foster	Lyons	Sherrod
Fuller	Maner	Smith (Elmore)
Glover	Mastin	Smith (Etowah)
Goodwyn	Mitchell	Smith (Franklin)
Haley	Moore	Smith (Lee)
Henley	McDuffie	Tunstall
Hoffman	Oliver	Turner
Hughston	Parker	White (Lamar)
Jenkins	Pearson	White (Perry)
John	Peete	

—74.

And the bill:

H. 592. To prohibit the employment of any person to labor in or about any cotton factory in this State for more than ten hours a day.

As amended, was read a third time, at length, and passed.

Yeas, 54; nays, 13.

Yeas:

Messrs:—

Speaker	Coleman (Lowndes)	Hughston
Armstrong	Coleman (Marshall)	Jenkins
Avery	Crum	John
Ballard (Autauga)	Doyle (Clark)	Jones
Benners	Doyle (Marengo)	King
Bloch	Edwards	Kirby
Brown	Foster	Kornegay
Bulger	Fuller	Lacy (Walker)
Burney	Goodwyn	Lancaster
Cannon	Hoffman	Lawson

Lee (Barbour)	McDuffie	Sherrod
Lee (Houston)	Oliver	Smith (Elmore)
Long (Butler)	Pearson	Smith (Franklin)
Lyons	Pitts (Perry)	Smith (Lee)
Malone	Ragsdale	Vann
Mastin	Rice	White (Lamar)
Middleton	Rowe	White (Perry)
Mitchell	Sanders	Williams

—54.

Nays:

Messrs:—

Alford	Lee (Etowah)	Rainer
Altman	Maner	Rushon
Arrington	Parker	Seale
Glover	Powell (Covington)	Weaver
Haley		

—13.

On motion of Mr. Smith, of Elmore, the bill was ordered sent forthwith to the Senate without engrossment.

Mr. Lee, of Barbour, gave notice that on tomorrow he would move to take the bill, H. 242, from the adverse calendar and refer it to a committee of the whole House.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following bills:

H. 795. To prohibit any person or corporation from selling, giving away, delivering or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating bitters or beverages in Marion county, Alabama; prescribing that a delivery shall constitute a sale, and prescribing a penalty for the violation of said law.

H. 963. To authorize the Lee county court of law and equity to revive and enforce judgments, decrees, orders and proceedings entered prior to July 1st, 1907, in the circuit, chancery and county courts of Lee county.

H. 847. To provide for the payment of the salary of the judge of the city court of Anniston, and to fix the amount of the same at thirty-five hundred dollars.

H. 497. For the relief of D. I. Guthrie, ex tax-collector for Lamar county, Alabama.

H. 860. To authorize the board of mayor and aldermen of the city of Bridgeport in Jackson county, Alabama, to permit school children living without the limits of said city, to attend the public schools within said city upon such terms as said board may prescribe.

H. 940. To provide for the publication and distribution of the Code of Alabama and the acts of the Legislature.

H. 69. To authorize the court of county commissioners of Colbert county to pay the executor or administrator of the estate of James H. Simpson, late clerk of the circuit court of said county for services rendered by the said James H. Simpson as such clerk for keeping the minutes of the circuit court of said county during the years 1897, 1898, 1899, 1900, 1901, 1902, 1903, the account for said services being barred by section 1420 of the Code.

H. 935. To amend section 22 of an act entitled an act to establish the city court of Bessemer.

H. 939. To adopt a code of laws for the State of Alabama.

H. 1034. To amend section 2 of an act, entitled an act to amend an act, entitled an act to establish, maintain and regulate a dispensary in the town of Camden, Wilcox county, Alabama, for the sale of spirituous, vinous and malt liquors, approved September 23, 1903, so as to provide that the one-fourth of the net proceeds of said dispensary shall be appropriated to the public road fund for Wilcox county, and providing for the election by the mayor and board of aldermen of the town of Camden, Alabama, for a cashier to issue checks for the purchase of liquors in said dispensary.

And herewith returns the same to the Senate.

And has amended, as therein shown, and as amended has passed:

H. 927. To further provide for the further construction, maintenance and repair of public roads in Jackson county.

And herewith returns same to the Senate, and has concurred in the H. J. R. 287, recalling from the governor of H. B. 810.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Benson, the House concurred in the Senate amendment to the bill, H. 927, said Senate amendment being as follows: "Provided this bill shall become effective immediately upon approval by the governor."

Yeas, 73; nays, 0.

Yeas:

Messrs:—

Speaker	Elrod	Mitchell
Alford	Foster	Moore
Altman	Fuller	McDuffie
Armstrong	Glover	Norville
Arnold	Goodwyn	Oliver
Arrington	Haley	Parker
Avery	Henley	Pearson
Ballard (Autauga)	Hoffman	Peete
Ballard (Pike)	Hughston	Pitts (Dallas)
Barton	Jenkins	Pitts (Perry)
Benners	John	Powell (Bullock)
Benson	Jones	Rattray
Bloch	Killen	Rice
Brown	King	Rushton
Bulger	Kornegay	Sanders
Burney	Lacy (Walker)	Sanford
Cannon	Lawson	Seale
Carmichael (Clay)	Lee (Etowah)	Smith (Franklin)
Coleman (Lowndes)	Lee (Houston)	Steagall
Coleman (Marshall)	Long (Butler)	Turner
Cooper	Lovelady	Vann
Crum	Malone	White (Lamar)
Doyle (Clark)	Maner	Williams
Doyle (Marengo)	Mastin	Wolf
Edwards		

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills beg leave to report that it has examined and found correctly engrossed the following bills:

H. 1081. To authorize and empower the commissioners' court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across the Tallapoosa river, at Tallassee, Alabama, for the use of said bridge by passengers and for vehicles, and for traffic and for whatsoever may pass over the same, and to provide for the enforcement of such rate of toll, and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

H. 185. For the relief of Major David M. Scott, of the Alabama National Guard.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted the following Senate joint resolution: S. J. R. 81. Be it resolved by the Senate of Alabama, the House of Representatives concurring, that when the two Houses adjourn at noon today, the adjournment shall be to 4 o'clock p. m. instead of to 3 p. m. as heretofore; in order to give standing committees of both bodies a chance to sit from 3 p. m. to 4 p. m.; and sends same herewith to the house.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The S. J. R. No. 81, set out in the above and foregoing Senate message, was read one time and referred to the standing committee on Rules.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bill:

S. 500. To fix the time of holding courts in the Third judicial circuit of Alabama.

Your signature thereto is requested.

J. A. Kyle,
Secretary.

SIGNING BILL.

The Speaker of the House in the presence of the House, immediately after the title has been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill, the title to which is set out in the above and foregoing message from the Senate.

H. 949. To create a text-book commission and to procure for use in the public schools in this State a uniform series of text-books; to define the duties and powers of said commission and to make an appropriation for carrying into effect this act.

Was taken up. Mr. John offered the following substitute for the bill:

A BILL

To be entitled an act, to create a text-book commission, and to procure for use in the public schools of this State a uniform series of text-books; to define the duties and powers of said commission; to make an appropriation for the carrying into effect this act, and to provide punishment and penalties for the violation of same.

Section 1. Be it enacted by the Legislature of Alabama, That on or before March 1st, 1908, the governor shall select and appoint nine educators of known character and ability, men well acquainted with arranging courses of study and engaging in public school work, one

from each congressional district; who, together with himself, and the State superintendent of education, shall constitute the Text Book Commission of Alabama. It shall be the duty of said commission to select and adopt a uniform series of text-books for use in the public schools of the State for a period of five years, and it shall be unlawful for any school official, director or teacher, to use any books upon the same branches other than those adopted by said State text-book commission. Said uniform series shall include the following branches of study, to-wit: Orthography, reading, writing, arithmetic, geography, grammar, language lessons, history of Alabama, containing the Constitution of the State, history of the United States, elementary physiology and hygiene, elementary principles of agriculture, and such other branches of study as properly belong in a common school course, provided that none of said text-books shall contain anything of a partisan or sectarian character. Before transacting any business pertaining to the duties of this commission they shall each take an oath, before some person authorized to administer oaths, to faithfully discharge all the duties imposed upon them as members of said text-book commission, and that they have no interest directly or indirectly, in any contract that may be made under this act, and receive no personal benefit therefrom. Provided further, that said text-book commission shall have the power by three-fourths vote to drop an unsatisfactory book at the end of any school year during the continuance of this contract, and to make another adoption.

Sec. 2. Said text-book commission shall consider the merits of each book, taking into consideration their subject matter, the printing, binding, material and mechanical qualities and their general suitability and desirability for the purpose intended, as well as the price of said books, provided that no text-book, the subject-matter of which is of inferior quality, shall be adopted by the text-book commission. Said commission shall select and adopt such books as will, in their best judgment, accomplish the ends desired, and they are hereby authorized and directed in case any book or books are deemed

by them suitable for adoption, and more desirable than other books of the same class submitted, and they further consider the price at which the books are offered to be unreasonably high, and that they should be offered at a smaller price, to immediately notify the publisher or author of such book or books, of their decision and request such reduction in price as they deem reasonable and just, and if they and such publishers shall agree on a price they may adopt his book or books, but if not, they shall use their own sound judgment and discretion, whether they will adopt that or the books which are deemed by them next best in the list published.

Sec. 3. Be it further enacted, That said text-book commission shall immediately after their appointment, meet and organize, the governor being president of the commission, and the superintendent of education secretary of said commission. As soon as practicable, not later than thirty days after its organization, the commission shall advertise, in such manner and for such length of time and at such places as may be deemed advisable, that at a time and place fixed definitely in said advertisement, sealed bids or proposals will be received from the publishers of school text books for furnishing books to the public schools in the State of Alabama, through such agencies in the several counties, and places in the several counties in the State, as may be provided for in such regulations as said commission may adopt and prescribe. The bids or proposals to be for furnishing the books for a period of five years and no longer, and that no bid for a longer period will be considered. Said bids shall state specifically and definitely the price at which the books will be furnished, and shall be accompanied by one or more specimen copies of each and every book proposed to be furnished, and it shall be required of each bidder to deposit with the treasurer of the State a sum of money such as the commission may require, not less than five hundred dollars, nor more than twenty-five hundred dollars, according to the number of books each bidder may propose to supply, and notice shall further be given in such advertisement that such deposits shall be forfeited absolutely to the State

if the bidder making the deposit shall fail or refuse to make and execute such contract and bond as is hereinafter required, within such time as the commission may require, which time shall also be stated in said advertisement. All bids shall be sealed and deposited with the secretary of State, to be by him delivered to the commission when they are in executive session, for the purpose of considering the same, when they shall be opened in the presence of the commission.

Section 4. Be it further enacted, That it shall be the duty of the said text-book commission to meet at the time and place designated in such notice, or advertisement, and take out the sample, or specimen copies submitted upon which the bids are based. When the members have examined all books submitted until thoroughly satisfied, it shall be the duty of said text-book commission to meet in executive session, to open and examine all sealed proposals submitted and received in pursuance of the notice, or advertisement, provided for in section 3 of this act. It shall then be the duty of said commission to examine and consider carefully such bids or proposals and determine in the manner provided in section 1 of this act, what book or books shall be selected for adoption, taking into consideration the size, quality as to subject matter, material, printing, binding and the mechanical execution and price, and the general suitability for the purpose desired and intended; provided, however, that all books selected and adopted shall be written or printed in English. After their selection for adoption shall have been made the said commission shall by registered letter notify the publishers or proposers to whom the contracts have been awarded, and it shall be the duty of the attorney-general of the State to prepare the said contract, or contracts in accordance with the terms and provisions of this act, and the said contract shall be executed by the governor and secretary of State, with the seal of the State attached upon the part of the State of Alabama, and the said contract shall be executed in triplicate, one copy to be kept by the contractor, one copy by the secretary of the text-book commission, and copied in full in the minute

book of said commission, and one copy to be filed in the office of the secretary of State. At the time of the execution of the contract aforesaid, the contractors shall enter into a bond in the sum of not less than \$10,000.00 nor more than \$30,000.00 payable to the State of Alabama, the amount of said bond within said limits to be fixed by said commission conditioned for the faithful, honest and exact performance of his contract, and shall further provide for the payment of reasonable attorney's fees in case of recovery in any suit upon the same, with three or more good and solvent sureties, actual citizens and residents of the State of Alabama, or any guaranty company authorized to do business in the State of Alabama may become the surety on said bond, and it shall be the duty of the attorney-general to prepare said bond and approve the same; provided, however, that said bond shall not be exhausted by a single recovery, but may be sued on from time to time until the full amount shall be recovered, and the said commission may at any time, by giving thirty days' notice, require additional security, or additional bond, within the limits prescribed. And when any person, firm or corporation, shall have been awarded a contract and submitted therewith the bond as required hereunder the commission through its secretary, shall so inform the treasurer of the State, and it shall be the duty of the treasurer to return to such contractor the cash deposit made by him, and the said commission, through its secretary shall inform the treasurer of the names of the unsuccessful bidders or proposers, and the treasurer shall upon receipt of this notice return to them the amount deposited in cash by them at the time of the submission of their bid, but should any person, firm, company or corporation fail or refuse to execute the contract, and submit therewith his bond as required by this act, within thirty days of the awarding of the contract to him, and the mailing of the registered letter containing the notice, (provided the mailing of the registered letter shall be sufficient evidence that the notice was given,) the cash deposit will be deemed and is hereby declared forfeited to the State of Alabama, and it

shall be the duty of the treasurer to place such cash deposit in the treasury of the State to the credit of the general school fund, and provided further, that any recovery had on any bond given by any contractor shall inure to the benefit of the said fund of the State, and when collected shall be placed in the treasury to the credit of the said fund and be prorated among the several counties of the State.

Section 5. Be it further enacted, That the books furnished under any contract shall at all times during the existence of the contract be equal to, in all respects, the specimens or sample copies furnished with bids; and it shall be the duty of the secretary of State to carefully preserve in his office as the standard of quality and excellence to be maintained in such books during the continuance of such contracts the specimens or sample copies of all books which have been the basis of any contract, together with the original bid or proposal, and the contractor shall also furnish each county superintendent of education like specimen or sample copies which shall be preserved by him in like manner, and the same shall always be open to the inspection of the public. It shall be the duty of all contractors to print plainly on the back of each book the contract price, as well as the exchange price at which it is agreed to be furnished, but the books submitted as specimen or sample copies with the original bids shall not have the price printed on them before they are submitted to the commission. And the said text-book commission shall not in any case contract with any person or publisher for the use of any books which are to be sold to patrons for use in any public school in this State, at a price above or in excess of the price at which such book or books are furnished by said person or publisher under contract to any State, county or school district in the United States, under like conditions prevailing in this State and under this act. And it shall be stipulated in each contract that the contractor has never furnished and is not now furnishing under contract any State, county or school district in the United States, where like conditions prevail as are prevailing in this State and under this act, the same

business, or proposing to do business in the State of Alabama, shall have the right to bid for the contract to be awarded under this act in the manner as follows: In response to the advertisement when made as hereinbefore provided, said person, firm or corporation may submit in writing, bid or bids to edit or have edited, publish and supply for use in the public schools in this State, any book or books herein provided for, provided that, instead of filing with said bid or proposal a sample or specimen copy of each book proposed to be furnished, he may exhibit to the commission a manuscript or printed form the matter proposed to be incorporated in any book, together with such a description and illustration of the form and style thereof, as would be fully intelligible and satisfactory to said commission, or they may submit a book or books the equal of which in every way they propose to furnish, and they shall accompany their bid or proposal with the cash deposit and execute contract and bond as hereinbefore provided.

Section 8. Be it further enacted, That as soon as said commission shall have entered into a contract or contracts for the furnishing or supplying of books in the public schools in this State, it shall be the duty of the governor to issue his proclamation announcing such facts to the people of the State.

Section 9. Be it further enacted, That the party or parties, with whom the contract shall be made, shall place their books on sale at not less than three places in each county of the State for the distribution of the books to the patrons, and the contractor shall be permitted to make arrangements with a merchant or other person for the handling and distribution of the books. All books shall be sold to the consumer at the retail contract price and in each book shall be printed the following: (The price fixed herein, is fixed by State contract and deviations therefrom shall be reported to your county superintendent of education, or the State superintendent at Montgomery). And it is expressly provided that should any party contracting to furnish books as provided for in this act, fail to furnish them or otherwise breach his contract, in addition to the right

act, shall state in such bid or proposal the exchange price at which such book or books will be furnished.

Section 7. Be it further enacted, That the text-book commission shall have and reserve the right to reject any and all bids or proposals if they shall be of the opinion that any or all should for any reason be rejected. And in case they fail from among the bids or proposals to select or adopt any book or books upon any of the branches mentioned in previous sections of this act, they may re-advertise for sealed bids or proposals under the same terms or conditions as before, and proceed in their investigations in all respects as they did in the first instance, and as required by the terms and provisions in this act, or they may advertise for sealed bids or proposals from authors or publishers of text books who have manuscripts of books not yet published, for prices at which they will publish and furnish in book form such manuscripts or for prices at which they will sell such manuscripts, together with the copyright with such books for use in the public schools of Alabama, proceeding in all respects in like manner as before; and provided that before accepting or rejecting any manuscript, it shall be their duty to take the manuscript and to advertise for sealed bids or proposals for publishing the same in book form, in like manner as herein provided for, and under the same restrictions and condition, and the contract may be let for the publication of all such books or for any one or more separately; and provided further that the State itself shall not, under any circumstances, enter into any contract binding it to pay for the publication of any book or books, but in the contract with the owner of the manuscript it shall be provided that he shall pay the compensation to the publisher for the publication and putting in book form ~~the manuscript, together with the cost and expense of~~ copyrighting the same; and provided, further, that in all cases, bids or proposals shall be accompanied with the cash deposit of from five hundred to twenty-five hundred dollars as the commission may direct, and as previously provided in this act. And it is further expressly provided that any person, firm or corporation now doing

book or books as are embraced in said contract at a price below or less than the price stipulated in the said contract, and the said commission is hereby authorized and directed, at any time they may find that any book has been furnished at a lower price under contract to any State, county or school district aforesaid to sue upon the bond of said contract and recover the difference between the contract price and the lower price at which they find the book or books have been sold, and in case a contractor shall fail to execute specifically the terms and provisions of his contract, said commission is hereby authorized, empowered and directed to bring suit upon the bond of such contractor for the recovery of all damages; the suit to be in the name of the State of Alabama, and the recovery for the benefit of the public school fund, but nothing in this act shall be construed so as to prevent said commission, and any contractor agreeing thereto, from in any manner changing or altering any contract, provided that a majority of the commission shall agree to the change and think it advisable and for the best interests of the public schools of the State. In all matters unless otherwise provided, a majority of said commission shall control.

Section 6. Be it further enacted, That it shall always be a part of the terms and conditions of every contract made in pursuance of this act, that the State of Alabama shall not be liable to any contractor in any manner, in any sum whatsoever, but all such contractors shall receive their pay or consideration in compensation solely and exclusively derived from the proceeds of the sale of books, as provided for in this act. Provided further, that the commission shall stipulate in the contract for the supplying of any book as herein provided that the contractor or contractors shall take up the school books now in use in this State, and receive the same in exchange for new books at a price not less than 50 per cent of the contract price. Provided, that such exchange period shall not continue longer than one year from the date of contract. And each person or publisher making a bid for the supplying of any book or books under this

of the State to sue on the bond hereinabove required, the county superintendent of any county may sue in the name of the State of Alabama in any court of competent jurisdiction in the county in which he resides, for the use and benefit of the school fund of the county; provided, that the right of action of the county superintendent shall be limited to the breaches of the contract committed in the county of his residence, and provided further, that in all cases under this act service of process may be had and deemed sufficient on any agent of the contractor in this State.

Section 10. Be it further enacted, That said commission shall from time to time make any necessary regulations to secure the prompt distribution of the books herein provided for, and the prompt and faithful execution of all contracts, and it is expressly now provided that said commission shall maintain its organization for five years, and at the end of said period of five years, the governor shall name a similar commission with like powers and a like term as the first named commission.

Section 11. Be it further enacted, That as soon as practicable after the adoption provided for in this act, the State superintendent of Education shall issue a circular letter to each county superintendent of education and each teacher in the State, and to such others as he may desire to send it, which letter shall contain the list of books adopted, the prices, location of agencies, and manner of distribution, and such other information as he may deem necessary.

Section 12. Be it further enacted, That as soon as the existing contract for books expires, the books adopted as a uniform system of text books for the next five years shall be introduced and used as text books to the exclusion of all others in all the public free schools in this State, ~~provided that nothing herein shall be construed to prevent the use of supplementary books, but such books shall not be used to the exclusion of the books prescribed or adopted under the provisions of this act, provided that nothing in this act shall prevent the teaching in any school any branch higher or more advanced than is embraced in any previous section of this act, nor the~~

using of any book upon such higher branch of study, provided that such higher branches shall not be taught to the exclusion of the branches mentioned and set out in this act.

Section 13. Be it further enacted, That nothing herein shall be construed to prevent or prohibit the patrons of the public schools throughout the State from procuring books in the usual way in case no contract shall be made, or the contractor fails or refuses to furnish the books provided for in this act, at the time required for their use in the respective schools.

Section 14. Be it further enacted, That any person or teacher violating the provisions of this act, shall become guilty of a misdemeanor, and upon conviction be punished by a fine of not less than ten dollars nor more than fifty dollars.

Section 15. Be it further enacted, That any teacher who shall use, or permit to be used in his, or her school any text book upon the branches embraced in this act, where the commission has adopted a book upon that branch, other than the one so adopted, except supplementary books, shall be guilty of a misdemeanor and upon conviction be punished as provided for in section 14 of this act.

Section 16. Be it further enacted, That if any local agent, dealer, clerk or other person handling or selling the books adopted under this act, shall demand or receive for a copy of any of the books herein provided for, more than the contract price, in cases where the purchase is for cash, he shall be guilty of a misdemeanor, and upon conviction shall for each offense be punished by a fine of not less than fifty nor more than five hundred dollars.

Section 17. Be it further enacted, That the sum of three thousand dollars, or so much thereof as may be necessary, to be paid out of the moneys in the treasury not otherwise expended, be and is hereby appropriated for the purpose of paying the cost and expense of carrying into effect the provisions of this act.

Section 18. Be it further enacted, That the governor and superintendent of education shall serve on the commission without compensation and the other members of the commission shall be paid the sum of \$4.00 per day during the time they are actually engaged, and in addition shall receive 10 cents per mile for each mile traveled from their homes to their place of meeting and return thereto, to be paid out of the funds appropriated by section 17 of this act, and they shall each make and swear to a statement of the number of miles traveled and the number of days actually engaged.

Section 19. Be it further enacted, That the said commission is authorized to appoint a clerk who shall have \$3.00 per diem during the time he is actually engaged, and the same mileage as is allowed the members of the commission.

Section 20. Be it further enacted, That the adoption made as provided for in this act shall continue for five years from the expiration of the existing contract, unless changed earlier as provided for in section 1 of this act.

Section 21. Be it further enacted, That in case of the failure of any contractor to furnish the books as provided in this contract, then his bond shall be declared forfeited, and the State School Book Commission is authorized and empowered to make such other contract for the unexpired term with any person to provide such books as they may deem advisable for the best interests of the State.

Section 22. Be it further enacted, That all laws and parts of laws in conflict with this act, be and the same are hereby repealed.

Mr. Lee, of Etowah, moved to table the substitute offered by Mr. John; and the motion to table was lost.

Yeas, 22; nays, 52.

Yeas:

Messrs:—

Arnold
Arrington
Benners
Benson

Coleman (Lowndes)
Doyle (Clark)
Goodwyn
Hoffman

Kirby
Lee (Etowah)
Lee (Houston)
Lovelady

Lyons
McDuffie
Oliver
Parker

Pratt
Seale
Tunstall

Weaver
Williams
Woolf

—22.

Nays:

Messrs:—

Speaker
Altman
Avery
Ballard (Autauga)
Ballard (Pike)
Baltzell
Brown
Burney
Cannon
Carmichael (Clay)
Coleman (Marshall)
Cranford
Edwards
Elrod
Foster
Fuller
Glover

Haley
Henley
Hughston
John
Johnson
Jones
Killen
King
Lacy (Walker)
Lancaster
Lee (Barbour)
Long (Butler)
Malone
Mastin
Moore
Pearson
Peete

Pitts (Perry)
Powell (Bullock)
Power
Price
Ragsdale
Rice
Rowe
Rushton
Sample
Sanders
Sherrod
Smith (Elmore)
Smith (Franklin)
Steagall
Turner
White (Lamar)
White (Perry)

—52.

And the substitute was adopted.

Yeas, 60; nays, 1.

Yeas:

Messrs:—

Speaker
Altman
Armstrong
Arrington
Avery
Ballard (Autauga)
Ballard (Pike)
Benness
Benson
Brown
Bulger

Burney
Cannon
Carmichael (Clay)
Coleman (Marshall)
Crum
Doyle (Clark)
Doyle (Marengo)
Edwards
Elrod
Foster
Glover

Goodwyn
Haley
Henley
Hughston
John
Johnson
Jones
Killen
Kornegay
Lancaster
Lawson

Lee (Barbour)	Pearson	Sherrod
Long (Butler)	Peete	Smith (Elmore)
Lovelady	Pitts (Dallas)	Smith (Franklin)
Lyons	Powell (Bullock)	Steagall
Mitchell	Power	Tunstall
Moore	Price	Vann
McDuffie	Ragsdale	White (Lamar)
Oliver	Rushton	White (Perry)
Parker	Sanford	Williams

—60.

Nays: -

Mr. Lee (Houston)

—1.

And the bill:

H. 949. To create a text-book commission and to procure for use in the public schools in this State a uniform series of text books; to define the duties and powers of said commission and to make an appropriation for carrying into effect this act.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Doyle (Marengo)	Lee (Houston)
Alford	Edwards	Malone
Altman	Elrod	Maner
Armstrong	Foster	Mitchell
Arnold	Glover	Moore
Arrington	Goodwyn	McDuffie
Avery	Gunter	Oliver
Benners	Haley	Parker
Brown	Hoffman	Pearson
Bulger	John	Peete
Burney	Johnson	Pitts (Dallas)
Cannon	Jones	Pitts (Perry)
Carmichael (Clay)	Killen	Powell (Bullock)
Cranford	Kornegay	Powell (Covington)
Crum	Lawson	Power
Doyle (Clark)	Lee (Barbour)	Pratt

Price	Smith (Elmore)	White (Lamar)
Rice	Smith (Franklin)	White (Perry)
Sanders	Weaver	Woolf
Sherrod		

—58.

REPORT OF SPECIAL COMMITTEE.

Mr. King, from the special committee heretofore appointed, made the following report:
To the Legislature of Alabama:

Your committee appointed to investigate the charges made against the management of the Alabama Insane Hospital, beg leave to make the following report:

Your committee has made only a very limited investigation on account of the short time allowed us. The task assigned us will require several weeks to do justice to the State, the institution and the inmates therein, and we respectfully ask that some action be taken giving the committee more time to conduct a full, fair and complete investigation of these charges.

July 24th, 1907.

Very respectfully submitted,

Jere C. King,
Chairman,
Robt. E. Spragins,
Wm. N. Hayes,
Jos. J. Arnold,
Gaston Gunter,
Committee.

Was read a third time, at length, and passed.

RECOMMITTAL OF BILL.

On motion of Mr. Haley, House bill 883 was recommitted to the standing committee on Local Legislation.

BILL ON THIRD READING.

H. 1025. To amend an act to provide for the inspection of jails and almshouses and cotton mills or facto-

ries, approved March 4, 1907, by adding section 12 to provide for office expenses of the inspector.

Was read a third time, at length, and passed.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Moore
Armstrong	Haley	McDuffie
Arnold	Jenkins	Oliver
Avery	John	Peete
Ballard (Autauga)	Johnson	Pitts (Dallas)
Benners	Jones	Pitts (Perry)
Bloch	King	Powell (Bullock)
Brown	Lacy (Walker)	Powell (Covington)
Bulger	Lancaster	Power
Burney	Lawson	Pratt
Cannon	Lee (Barbour)	Price
Carmichael (Clay)	Lee (Houston)	Ragsdale
Crum	Long (Butler)	Rowe
Doyle (Clark)	Lovelady	Rushton
Doyle (Marengo)	Lyons	Sanders
Edwards	Malone	Smith (Elmore)
Elrod	Maner	Smith (Lee)
Fuller	Mastin	Tunstall
Glover	Middleton	Turner
Goodwyn	Mitchell	White (Lamar)

—60.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House amendment to the following Senate bills:

S. 484. To fix the time of holding the circuit courts in the counties of Walker and Winston, composing the 14th judicial circuit of the State of Alabama.

S. 296. To repeal an act approved December 13th, 1900, entitled an act to establish, maintain and regulate a dispensary in the town of Roanoke, Randolph county, Alabama, for the sale of spirituous, vinous or malt liquors, ciders and other intoxicants and to establish a board of commissioners for the management of said dispensary and for other purposes.

And has non-concurred in the House amendments to:

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns, and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violation of the provisions of this act.

And asks for a committee of conference thereon. Committee on part of the Senate, Messrs. Strother, Gunn and Lowe.

And has passed the following Senate bills and ordered the same sent forthwith without engrossment:

S. 398. To further prescribe the powers of the railroad commission of Alabama and to authorize it to change any classification of railroads or of any articles of freight, or any rates or charges for the transportation of freight or passengers which have been, or which may hereafter be, prescribed by statute, or any prevailing rates or charges for such transportation which have been, or which may hereafter be, by statute made the maximum rates.

S. 399. To amend sections 2, 3, and 4, of an act entitled "An act to regulate railroads and other common carriers in this State, to secure reasonable rates and adequate service and prevent unjust discrimination in their public service, and prescribe penalties for violation thereof," approved February 23, 1907.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Gunter, the House acceded to the request of the Senate for a committee of conference on the disagreement of the two Houses on the House amendments to S. 509. Committee on part of the House: Messrs. Gunter, Sherrod and Crawford. The Senate bills, S. 398 and S. 399, were read one time and referred to the standing committee on Commerce and Common Carriers.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bills:

H. 1227. For the relief of T. H. Dunn, J. H. Pinckard and Wiley Hill, ex-confederate soldiers of Chambers county.

H. 1228. For the relief of T. W. Smith, clerk of the circuit court of Autauga county, Alabama.

H. 1229. To authorize the board of directors of the State Normal School at Jacksonville, for and in behalf of said normal school and for and behalf of the State of Alabama to sell and convey to the mayor and city council of Jacksonville a certain house and lot on or near the south-east corner of the public square of the town of Jacksonville, Alabama, the same being the house and lot formerly used and occupied by Calhoun county as a county court house, and now used by said normal school for school purposes; the proceeds of said sale to be used and applied by said board of directors of the State Normal School at Jacksonville, for the benefit of said normal school.

H. 1293. To allow the selling, or otherwise lawfully disposing of, lager beer, by the proprietor, or manager, of the Park hotel to be erected at Montrose in Baldwin county.

H. 1214. For the relief of Mrs. M. A. Jones, widow of an ex-confederate soldier.

H. 1305. To fix the salary of the county treasurer of Walker county, Alabama.

H. 1104. For the relief of Mary Marley, Mary J. Simpler, widows of confederate soldiers and A. Campbell, a confederate soldier, being residents of Crenshaw county, Alabama.

H. 1155. To prevent and punish any person, firm or corporation residing in or doing business within any stock law district in Covington county enclosed by any fence or fences from turning any stock prevented from running at large within such stock law district in or on

any territory within said county where any such stock are prohibited by law from running at large in non-stock law districts in said county; making the violation of such act a misdemeanor, and providing that the act take effect from and after its passage and approval by the governor.

H. 1138. To appropriate the sum of \$21.60 for the year 1904 and the further sum of \$30.00 for the year 1905 and the further sum of \$30.00 for the year 1906, total \$81.60, to Mary Morris, widow of John Morris an ex-confederate soldier, as a confederate pension for said years, her name hving been erroneously omitted from the lists of pensioners for said years.

H. 1252. To fix the time of holding the circuit court in the county of Lawrence in the Eighth judicial circuit of Alabama.

H. 985. For the relief of Walter-Cotter Co., on expired license as future dealers.

H. 898. To prohibit the sale of wine in the city of Thorsby, Alabama, in quantities less than one gallon, to prohibit the drinking of wine on the premises where sold or in a room adjoining the premises where sold; and to provide that any persons violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction, shall be fined not less than fifty nor more than five hundred dollars for each offense; and repealing all laws and parts of laws in conflict with this act.

H. 1019. To fix the salary of the judge of the city court of Talladega county and to provide for payment of the same.

H. 1220. To amend sections two (2) and three (3) of an act entitled "An act to amend sections 897 and 911 of chapter 19, article 1 of the Code of Alabama, approved March 6th, 1907.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

RESOLUTIONS.

The following resolutions were introduced and referred to the standing committee on Rules:

By Mr. Pitts, of Perry:

H. R. 295. Be it resolved by the House of Representatives, that there shall be a call by counties at the afternoon and night sessions and that each member on the call of his county shall have the right to call up for passage either a local or general bill.

By Mr. Ragsdale:

H. R. 296. Resolved, that S. B. 131, To submit to the qualified electors of the State, at the general election to be held on the first Tuesday after the first Monday in November, 1908, for two associate justices of the supreme court, for their consideration an amendment to sections 46 and 48 of article 4 of the constitution so far as to provide for biennial sessions of the Legislature.

And,

H. 942. To propose amendments to section 194 of the Constitution.

And,

H. 936. To propose an amendment to the Constitution of Alabama for the purpose of providing for the formation and establishing of new counties out of portions of one, two or more counties as may be desired.

Be made a special, continuing, paramount order for Friday, July 26th, immediately after the report of the standing committees.

By Mr. Pitts, of Perry:

H. R. 297. Be it resolved by the House of Representatives, that on the call of counties at the night session each member on the call of his county shall have the right to call up for passage either a local or general bill.

BILLS ON THIRD READING.

H. 46. Regulating the sale of food in the State of Alabama and providing penalties for the violation thereof.

Was taken up. The question was upon the adoption of the substitute reported by the standing committee on Public Health. On motion of Mr. Maner, the bill and substitute were laid upon the table.

H. 229. To provide for the appointment of official court reporters in the several circuit courts in the State of Alabama, and to provide for their compensation, and to prescribe their duties.

Was taken up. The question was upon the adoption of the substitute reported by the standing committee on Judiciary, said substitute being as follows:

Substitute for H. B. 229:

A BILL

To be entitled an act to provide for official stenographic reporters in the several circuit courts in the State of Alabama, and to provide for their compensation and prescribe their duties, and provide a penalty for a violation of the provisions of this act.

Section 1. Be it enacted by the Legislature of Alabama, That there is hereby created the office of official stenographic reporter for the several circuit courts in the State of Alabama, and such reporter must be appointed by the judge or judges of said courts as soon after the passage of this act as practicable. Said reporter shall be a sworn officer of the court and hold office for a term of six years from the date of his appointment, and until his successor is appointed and qualified.

Sec. 2. It shall be the duty of the governor immediately after the passage of this act to appoint a committee, consisting of the attorney-general and two members of the supreme court, who must meet in the city of Montgomery on a day to be fixed by the governor, and examine applicants for the position of official

stenographic reporters; provided, however, that after the first examination held hereunder, the governor shall select three reporters who have successfully passed the examination and been appointed official stenographic reporters, who shall, from and after their appointment constitutes an examining board to examine applicants for the office hereby created. Said board shall hold office for and during the term of four years, and until their successors are appointed and qualified.

Sec. 3. No person shall be eligible for the position of official stenographic reporter in the State of Alabama who does not hold a certificate from the duly qualified examining board, that he is familiar with the ordinary forms and terms in legal practice, and that upon reading to such applicant at the rate of 150 words per minute for five consecutive minutes he has demonstrated his ability to correctly write and transcribe such matter into longhand. No person shall be appointed official stenographic reporter who is not a qualified elector in the State of Alabama, of good moral character, and such official stenographic reporter shall subscribe the oath prescribed by the Constitution of this State, and also the following additional oath:

I, _____, do solemnly swear that I will well and truly report all matters which it shall become by duty to report as the official stenographic reporter of _____ Court, faithfully and impartially, to the best of my ability, so help me God.

Sec. 4. That the official stenographic reporter herein provided for shall attend the session of the court for which he is appointed in person, or by an assistant who must hold the same certificate required of the official stenographic reporter, and take full stenographic notes of the oral evidence and proceedings, except arguments of counsel, in every case in such court as the judge thereof shall direct or any party thereto may request to be reported, and must also note the order in which all written or documentary evidence is introduced, all objections and the rulings of the court thereon and exceptions which may be reserved thereto. The original notes shall be filed in such place as the court

may direct and shall be treated and preserved as a part of the records of said court. Said official stenographic reporter shall furnish to any party to the cause demanding the same a type-written transcript of his notes upon the payment, or security to him, of a transcript fee of fifteen cents for each hundred words thereof; provided, that nothing herein contained shall preclude such reporter from entering into special agreement to furnish reports or proceedings within twenty-four hours under special arrangement therefor. Said official stenographic reporter is hereby required to furnish transcripts in all criminal cases, for purpose of appeals to the supreme court, free of charge, within the time prescribed by law or the order of the court, and he shall also in civil cases if the court ascertain and determine that any party to a cause is financially unable to pay the cost of such transcript, be required to file the same free of cost.

Sec. 5. That the official stenographic reporter provided for in this act shall certify the transcript of his original notes over his signature, and when so certified such transcript shall be prima facie a correct statement of the proceedings in said cause, and such official stenographic reporter must file such official transcript within thirty days after written demand is made therefor unless such time is extended by the court for good cause.

Sec. 6. Unless the official stenographic reporter file the certified transcript provided for in the preceding section within the time required by law, or the time prescribed by the court, he shall be punished by fine, in the discretion of the court, or not less than twenty dollars to be paid into the county treasury of the county in which such case was tried, and may be by the judge removed from office.

Sec. 7. Said official stenographic reporter shall receive an annual salary of fifteen hundred dollars; which salary shall be paid by the counties constituting the circuit. The boards of county commissioners, or like boards, are required to provide for the payment of said

salary in semi-annual installments. Each county composing the circuit shall pay said salary in a proportion based upon the length of the terms of court actually held therein and it shall be the duty of the judge of the circuit court to certify to the county commissioners or like boards, the amount or proportion of said salary which each county in his circuit shall pay.

And in all counties having courts with jurisdiction of cases, civil or criminal, tried by juries, the official stenographic reporter shall either in person or by assistant report the proceedings in such court, and in prorating the amount of his salary the time he is actually engaged in such court shall be taken as the basis, but no county shall be taxed with a greater proportion of the reporter's salary than the number of weeks of court required by law to be held in that county, bears to the total number of weeks of court to be held in all the courts of the circuit.

Mr. Lancaster offered the following amendment to the substitute:

Amend section 7 of substitute, by striking out all of said section after dollars in line two and insert "by the State."

And the amendment was adopted.

And the substitute, as amended by the amendment of Mr. Lancaster, was adopted.

Yeas, 57; nays, 3.

Yeas:

Members:—

Speaker	Burney	Goodwyn
Alford	Cannon	Haley
Armstrong	Carmichael (Clay)	Henley
Arnold	Coleman (Marshall)	Hoffman
Arrington	Cooper	Hughston
Avery	Cranford	John
Ballard (Autauga)	Doyle (Marengo)	Kornegay
Ballard (Pike)	Edwards	Lacy (Walker)
Benners	Elrod	Lancaster
Benson	Fuller	Lawson
Bulger	Glover	Lee (Houston)

Malone	Powell (Covington)	Smith (Elmore)
Maner	Pratt	Smith (Franklin)
Mitchell	Price	Smith (Lee)
Parker	Rowe	Thompson
Pearson	Rushton	Turner
Pitts (Dallas)	Sanford	White (Lamar)
Pitts (Perry)	Seale	White (Perry)
Powell (Bullock)	Sherrod	Woolf

—57.

Nays:

Messrs:—

Coleman (Marshall)	Power	Sanders
--------------------	-------	---------

—3.

Mr. Tunstall offered the following amendment to the bill:

Amend section 1, by striking out the words beginning with “for” and ending with appointment and insert “during term of the judge making the appointment.”

And the amendment was adopted.

Yeas, 56; nays, 3.

Yeas:

Messrs:—

Speaker	Gunter	Pearson
Armstrong	Haley	Pitts (Dallas)
Arnold	Henley	Pitts (Perry)
Arrington	Hoffman	Powell (Bullock)
Avery	John	Powell (Covington)
Ballard (Autauga)	Kornegay	Pratt
Ballard (Pike)	Lancaster	Price
Baltzell	Lawson	Rowe
Benners	Lee (Etowah)	Seale
Benson	Lee (Houston)	Sherrod
Bulger	Lovelady	Smith (Franklin)
Burney	Lyons	Smith (Lee)
Cannon	Malone	Thompson
Coleman (Lowndes)	Maner	Tunstall
Edwards	Mitchell	Turner
Elrod	Moore	White (Lamar)
Fuller	McDuffie	White (Perry)
Glover	Oliver	Woolf
Goodwyn	Parker	

—56.

Nays:

Messrs:—

Power

Rice

Sanders

—3.

And the bill:

H. 229. To provide for the appointment of official court reporters in the several circuit courts in the State of Alabama, and to provide for their compensation, and to prescribe their duties.

As amended, was read a third time, at length, and passed.

Yeas, 41; nays, 36.

Yeas:

Messrs:—

Speaker

Henley

Pitts (Dallas)

Alford

Hoffman

Powell (Bullock)

Armstrong

Hughston

Pratt

Arnold

Jenkins

Rowe

Arrington

John

Rushton

Benners

King

Sanford

Bulger

Lancaster

Seale

Burney

Lee (Etowah)

Smith (Elmore)

Coleman (Lowndes)

Lee (Houston)

Smith (Lee)

Fuller

Lyons

Thompson

Glover

Malone

Turner

Goodwyn

Maner

Williams

Gunter

McDuffie

Woolf

Haley

Parker

—41.

Nays:

Messrs:—

Avery

Doyle (Marengo)

Lee (Barbour)

Ballard (Autauga)

Edwards

Long (Butler)

Ballard (Pike)

Elrod

Mastin

Baltzell

Foster

Moore

Cannon

Johnson

Oliver

Coleman (Marshall)

Killen

Pearson

Cooper

Kirby

Pitts (Perry)

Cranford

Kornegay

Powell (Covington)

Doyle (Clark)

Lawson

Power

Rice
Sample
Sanders

Sherrod
Smith (Franklin)
Tunstall

Vann
Weaver
White (Lamar)

—36

RECESS.

The hour of one o'clock having arrived, under the rules heretofore adopted, the House recessed until 3 p. m.

AFTERNOON SESSION.

The hour of 3 o'clock p. m. having arrived, the House reconvened.

PRIVILEGES OF THE FLOOR

Were extended to Hon. I. E. Watson, of Anniston; Hon. John W. Inzer, of St. Clair county, and Hon. C. D. Carmichael, of Geneva, for today.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House joint resolution No. 291 as follows:

Resolved by the House, the Senate concurring, that the Speaker of the House and the President of the Senate be and they are hereby authorized and requested to erase their signatures from House bill No. 810, and that said bill be returned to the Senate for further consideration.

And herewith returns the same to the House.

J. A. Kyle,
Secretary.

GOVERNOR'S MESSAGE.

To the House of Representatives:

In accordance with your request, I herewith return to the House, House bill No. 810, entitled an act to establish a board of revenue for Houston county.

July 24, 1907.

B. B. Comer,
Governor.

ERASURE OF SIGNATURE.

The Speaker of the House, in the presence of the House, under a joint resolution heretofore adopted, erased his signature from the bill, H. 810.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills have examined the following House bills and beg leave to report the same correctly enrolled:

H. 1034. To amend section 2 of an act, entitled an act to amend an act, entitled an act to establish, maintain and regulate a dispensary in the town of Camden, Wilcox county, Alabama, for the sale of spirituous, vinous and malt liquors, approved September 23rd, 1903, so as to provide that the one-fourth of the net proceeds of the said dispensary, shall be appropriated to the public road fund of Wilcox county, and providing for the election by the mayor and board of aldermen of the town of Camden, Alabama, for a cashier to issue checks for the purchase of liquors in said dispensary.

H. 497. For the relief of D. I. Guthrie, ex-tax collector for Lamar county, Alabama.

H. 860. To authorize the board of mayor and aldermen of the city of Bridgeport in Jackson county, Alabama, to permit school children living without the limits of said city to attend the public schools within said city upon such terms as said board may prescribe.

H. 847. To provide for the payment of the salary of the judge of the city court of Anniston, and to fix the amount of the same at thirty-five hundred dollars.

H. 935. To amend section 22 of an act entitled an act to establish a city court of Bessemer.

H. 939. To adopt a code of laws for the State of Alabama.

H. 888. To provide for the establishment of a branch of the circuit court of Barbour county; to define its powers and jurisdiction; to regulate the trial of causes

therein and the drawing and summoning of jury and witnesses therefor.

H. 69. To authorize the court of county commissioners of Colbert county to pay the executor or administrator of the estate of James H. Simpson, late clerk of the circuit court for said county, for services rendered by the said James H. Simpson as such clerk for keeping the minutes of the circuit court of said county during the years 1897, 1898, 1899, 1900, 1901, 1902, 1903, the account for said services being barred by section 1420 of the Code.

H. 963. To authorize the Lee county court of law and equity to revive and enforce judgments, decrees, orders and proceedings entered prior to July 1st, 1907, in the circuit, chancery and county courts of Lee county.

H. 795. To prohibit any person or corporation from selling, giving away, delivering or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating bitters or beverages in Marion county, Alabama; prescribing a penalty for the violation of said law.

J. S. Williams, Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the standing committee on Enrolled Bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended, as therein shown, and as thus amended has passed House bills:

H. 1205. To amend section 3915 of the Code as amended by an act entitled an act to better provide for the revenue of the State, approved March 4, 1903.

H. 1189. To amend section 8 of an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

And has passed the following House bills:

H. 1154. To amend section 9 of an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7, 1907.

H. 1211. To amend an act entitled an act to further amend the revenue laws of the State of Alabama.

And returns same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Haley, the House concurred in the Senate amendment to the bill, H. 1205, said Senate amendment being as follows:

Amend by adding next after the words "franchise taxes" where said words appear in the body of the act, the following: "and in full satisfaction for all taxes imposed on the sleeping car business of such person or corporation and upon the property and intangible assets used in such business.

Yeas, 78; nays, 0.

Yeas:

Messrs:—

Speaker	Cooper	Hughston
Altman	Cranford	Jenkins
Armstrong	Crum	John
Arnold	Doyle (Clark)	Johnson
Avery	Doyle (Marengo)	Jones
Ballard (Autauga)	Dudley	Killen
Ballard (Pike)	Edwards	King
Barton	Elrod	Kirby
Benners	Foster	Kornegay
Benson	Fuller	Lacy (Walker)
Bloch	Glover	Lancaster
Brown	Goodwyn	Lawson
Carmichael (Clay)	Haley	Lee (Barbour)
Coleman (Lowndes)	Henley	Lee (Etowah)
Coleman (Marshall)	Hoffman	Lee (Houston)

Long (Butler)	Pitts (Dallas)	Sanford
Lovelady	Pitts (Perry)	Seale
Maner	Powell (Bullock)	Sherrod
Middleton	Powell (Covington)	Smith (Elmore)
Mitchell	Power	Smith (Lee)
Moore	Ragsdale	Steagall
McDuffie	Ratray	Vann
McMillan	Rice	Weaver
Norville	Rowe	White (Perry)
Oliver	Rushton	Williams
Parker	Sanders	Woolf

—78.

On motion of Mr. Haley, the House concurred in the Senate amendment to the bill, H. 1189, said Senate amendment being as follows:

Inert immediately after the words "placed in said machine," where they first occur in said bill the following words: "Provided, however, that where several such slot machines are run or operated as a 'penny arcade', or like place of amusement that the total license on all machines so run or operated in any one penny racade or like place of amusement shall be one hundred dollars per annum in towns and cities of more than twenty thousand inhabitants for the State, and fifty dollars for the county, and in all other places fifty dollars per annum to the State and one-half of this amount to the county."

Further amend said bill by inserting next after the words "from which merchandise" the following words, "or gas."

Yeas, 79; nays, 0.

Yeas:

Messrs:—

Speaker	Barton	Coleman (Marshall)
Alford	Benners	Cooper
Altman	Benson	Cranford
Armstrong	Bloch	Crum
Arnold	Brown	Doyle (Clark)
Ballard (Autauga)	Cannon	Doyle (Marengo)
Ballard (Pike)	Carmichael (Clay)	Edwards
Baltzell	Coleman (Lowndes)	Elrod

Foster	Lee (Etowah)	Ragsdale
Fuller	Lee (Honston)	Rattray
Glover	Long (Butler)	Rice
Goodwyn	Lovelady	Rowe
Haley	Maner	Rushton
Henley	Middleton	Sample
Hoffman	Mitchell	Sanders
Hughston	Moore	Sanford
Jenkins	McDuffie	Seale
Johnson	McMillan	Smith (Elmore)
Jones	Norville	Smith (Lee)
Killen	Oliver	Steagall
King	Parker	Tunstall
Kirby	Pearson	Turner
Kornegay	Pitts (Dallas)	Weaver
Lacy (Walker)	Pitts (Perry)	White (Perry)
Lancaster	Powell (Bullock)	Williams
Lawsou	Power	Woolf
*Lee (Barbour)		

—79.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bills:

S. 391. To fix the salary of the judge of the city court of Talladega county and to provide for payment of the same.

And sends same herewith to the House with notice and proof thereto attached and herewith exhibited as follows:

APPLICATION FOR LOCAL LAW.

Notice is hereby given that application will be made to the Legislature of Alabama at its adjourned meeting for the enactment into law of a bill to be entitled: An act to fix the salary of the judge of the city court for Talladega county and to provide for payment of the same as follows:

Section 1. Be it enacted by the Legislature of Alabama, That the salary of the judge of the city court for Talladega county be and the same is hereby fixed at two thousand seven hundred dollars per annum, and that the same shall be paid as now provided by law.

June 5, 1907.

The State of Alabama, }
Talladega County. }

Personally appeared before me, the judge of probate in and for said county, who, being duly sworn, according to law, deposes and says that he is the publisher of the Our Mountain Home, a newspaper published in said county and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit, in the issues thereof dated as follows: June 5th, 1907, June 12th, 1907, June 19th, 1907, and June 26th, 1907.

Jno. C. Williams.

Subscribed and sworn to before me this 3rd day of July, 1907.

J. E. Camp,
Judge of Probate.

S. 548. For the relief of Mrs. M. J. Smyley of Marengo county, the widow of a confederate soldier.

And sends same herewith to the House with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the Legislature of Alabama for the relief of Mrs. M. J. Smyley.

The State of Alabama, }
Marengo County. }

Before me, G. E. Small, justice of the peace, in and for the county and State aforesaid, personally appeared R. H. Robertson, who, being by me first duly sworn, deposes and says: 1st. That the Marengo Democrat is a

newspaper published in Marengo county, Alabama. 2nd. That the attached notice was published in the said paper for four consecutive weeks next preceding the 5th day of March, by publishing the same once each week in the said paper.

R. H. Robertson.

Sworn to and subscribed before me this the 5th day of March, 1907.

G. E. Small,

Justice of the Peace.

S. 583. To fix and increase the compensation for ex-officio services of the sheriff of Perry county, Alabama.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

NOTICE.

An application will be made to the present session of the Legislature of Alabama for the passage of a bill to be entitled an act—to increase the ex-officio services of the sheriff of Perry county, Alabama, so that for empaneling grand juries, advertising and attending all elections in his county and for all other public services not otherwise provided for such sum as may be allowed by the court of county commissioners to be paid out of county treasury not exceeding five hundred dollars per annum.

S. A. Nelms.

The State of Alabama, }
County of Perry. }

Before me, J. B. Shivers, judge of probate of Perry county, Alabama, appeared A. L. Pope, who, after being duly sworn, deposes and says on oath, as follows, to-wit: That he is foreman in charge of the Marion Standard, a weekly newspaper, published in Marion, Perry county, Alabama; that said Marion Standard has published the attached notice for four consecutive weeks, beginning on the 24 day of May, 1907.

A. L. Pope.

Subscribed and sworn to before me this the 11th
July, 1907.

J. B. Shivers,
Judge of Probate of Perry Co., Ala.

S. 585. To authorie and empower the court of county commissioners of Butler county to employ a janitor for Butler county, who shall be under the control and direction of the sheriff of Butler county, to prescribe his duties and to provide for the payment of such janitor.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and says as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set out, was published in said Greenville Advocate for four consecutive weeks beginning on the 12th day of June, 1907.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of the Legislature of Alabama, which convenes in Montgomery, Alabama, on July 9th, 1907, which bill will provide that the court of county commissioners of Butler county, Alabama, be allowed to employ a janitor for Butler county, Alabama, who shall be under the control and direction of the sheriff of Butler county, Alabama, and whose duties shall be to do and perform any and all services which shall be required of him in and around the court house of Butler county, Alabama, his salary to be fixed by the court of county commissioners of Butler county and to be paid out of the county treasury of Butler county, on an order from the county commissioners of

Butler county, Alabama. This the 7th day of June, 1907.

J. B. Stanley.

Sworn to and subscribed before me this 11th day of July, 1907.

Bennie Williams,
Notary Public.

S. 588. To authorize and empower the court of county commissioners of Butler county to contract for and place in the office of the various officers of said county, telephones, writing machines and other mechanical devices as in the opinion of the said court of county commissioners is necessary or expedient and to contract for and place in the jail and poor houses of said county such telephones as may be necessary.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Butler County. }

Before me, Bennie Williams, a notary public in and for said county and State, personally came J. B. Stanley, who, being by me first duly sworn, doth depose and say as follows, to-wit: That he is the editor and publisher of The Greenville Advocate, a weekly newspaper published at Greenville in said county and State; that the notice, a copy of which is hereinafter set out, was published in said Greenville Advocate for four consecutive weeks, beginning on the 12th day of June, 1907.

NOTICE.

You will please take notice that a bill will be introduced at the adjourned term of the present session of the Legislature of Alabama, which convenes in Montgomery on July 9th, 1907, which bill will provide that the court of county commissioners of Butler county, Alabama, be authorized and empowered to contract for and place in the offices of the various officers of said county who have their offices in the court house, such tele-

phones, writing machines and other mechanical devices as in the opinion of said court is necessary or expedient; and the said court be further authorized and empowered to contract for and place in the jail and poor house of said county, such telephone as they may deem necessary. This the 7th day of June, 1907.

J. B. Stanley.

Sworn to and subscribed before me this 11th day of July, 1907.

Bennie Williams,
Notary Public.

And the Senate has originated and passed the following Senate bill:

S. 305. To enlarge the powers of the board of trustees, hereafter to be known as the board of education of the school district of New Decatur.

And has concurred in House amendment to Senate bill 344.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the aboe and foregoing message, were read one time and referred to appropriate standing committees as follows:

Judiciary, S. 391.

Appropriations, S. 548.

Local Legislation, S. 583, S. 585, S. 588.

Education, S. 305.

RESOLUTIONS.

The following resolutions were introduced and referred to the committee on Rules:

By Mr. Lacy, of Walker:

H. R. 298. Be it resolved, that H. B. No. 609, To amend sections 6 and 19 of an act to establish a uniform system for the examination and licensing of teachers of public schools; be made a special, paramount, continuing

order for Thursday, July 25th, immediately after consideration of H. B. 182.

By Mr. Lacy, of Walker:

H. R. 299. Whereas, there is no objection to the passage of H. B. No. 182, To authorize cities and towns and other municipal corporations to purchase, construct, own and operate water works, and electric light plants, etc., and,

Whereas, it will take but a few minutes to pass bill, and whereas said bill is of great importance,

Therefore, be it resolved, that said bill be made a special, paramount, continuing order for Thursday, July 25th, immediately after the report of the committee on Revision of the Journal.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following resolution with a favorable report:

Rules Committee:

H. J. R. 300. Resolved by the House, the Senate concurring, that when the Legislature adjourns today, the two Houses adjourn to meet Friday morning.

And the resolution was adopted.

Rules Committee:

H. R. 301. Resolved, that after today general bills as special orders and regularly on the calendar shall be considered at the morning and afternoon sessions and that at the night sessions the call of counties shall be had and each member shall be entitled to call up for passage either a local or general bill as his county is called.

Prior to the 47th legislative day no Senate bill shall be passed unless the bill is now a special order.

Mr. Goodwyn offered the following substitute for resolution 301:

Resolved, that at the afternoon session the roll of members be called for the purpose of permitting each

member to call up some general bill, said privilege of calling up not to be transferrable and only House bills to be acted upon up to and including the 47th day. Provided, that at the night session the roll of counties shall be called for the passage of local bills of both Houses.

Mr. Bloch moved to table the substitute offered by Mr. Goodwyn. The motion to table was lost.

And the substitute offered by Mr. Goodwyn for the resolution No. 301 was adopted.

RESOLUTION.

The following resolution was introduced and referred to the committee on Rules:

By Mr. Kirby:

H. R. 302. Resolved, that H. B. No. 1382, To prescribe the qualifications of and additional duties of county superintendents of education, be made a special order at such time as will suit the committee on Rules.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following report from said committee:

Resolved, that S. B. 541, To appropriate the sum of \$50,000.00 to defray the expenses incurred in connection with the railroad rate litigation now pending, or which may hereafter be instituted between the various railroads of Alabama and the railroad commission," be made a special, paramount, continuing order over all other bills for Friday next immediately after the reports of standing committees.

That H. 941, To provide for and regulate the selection, drawing and empaneling of grand and petit juries in all the courts of this State, be made a special order next after S. B. 541.

And the report of the committee was adopted.

BILLS ON THIRD READING.

H. 300. To regulate the jurisdiction of suits against non-residents or foreign corporations upon causes of action arising outside of this State, and the service of process on such non-residents or foreign corporations.

Was taken up. Mr. Glover offered the following amendment to the bill:

1st. Amend by striking out Sec. 1 and substituting in lieu thereof the following:

Section 1. Be it enacted by the Legislature of Alabama, That the courts of the State of Alabama shall have and are hereby invested with jurisdiction of all causes of action accruing to residents of this State against non-resident persons or foreign corporations irrespective of whether such causes of action shall arise within or without the State of Alabama.

2nd. Amend section 2 by inserting between the word "that" and the word "process" where they occur in said bill, the words "service of."

3rd. By striking out and eliminating section 3 of the bill.

And the amendment was adopted.

Yeas, 69; nays, 0.

Yeas:

Messrs:—

Speaker	Carmichael (Clay)	Hughston
Alford	Coleman (Lowndes)	John
Altman	Coleman (Marshall)	Johnson
Armstrong	Cooper	Jones
Arnold	Cranford	Kornegay
Avery	Crum	Lawson
Ballard (Autauga)	Doyle (Clark)	Lee (Barbour)
Barton	Doyle (Marengo)	Lee (Etowah)
Benners	Dudley	Lee (Houston)
Benson	Edwards	Lovelady
Bloch	Glover	Malone
Brown	Haley	Mitchell
Burney	Henley	Moore
Cannon	Hoffman	McDuffie

McMillan	Rainer	Smith (Elmore)
Norville	Rice	Smith (Franklin)
Oliver	Rowe	Smith (Lee)
Parker	Rushton	Steagall
Peete	Sample	Turner
Pitts (Dallas)	Sanders	Vann
Powell (Bullock)	Sanford	White (Lamar)
Power	Seale	Williams
Pratt	Sherrod	Woolf

—69.

And the bill:

H. 300. To regulate the jurisdiction of suits against non-residents or foreign corporations upon causes of action arising outside of this State, and the service of process on such non-resident or foreign corporations.

As amended, was read a third time, at length, and passed.

Yeas, 77; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	Lee (Etowah)
Alford	Edwards	Lee (Houston)
Altman	Foster	Lovelady
Armstrong	Fuller	Malone
Arnold	Glover	Maner
Ballard (Autauga)	Goodwyn	Mitchell
Ballard (Pike)	Gunter	Moore
Barton	Haley	McDuffie
Benners	Henley	McMillan
Benson	Hoffman	Norville
Bloch	Hughston	Oliver
Brown	John	Parker
Bulger	Johnson	Pearson
Burney	Jones	Pitts (Dallas)
Cannon	Killen	Powell (Bullock)
Coleman (Lowndes)	King	Powell (Covington)
Cooper	Kirby	Power
Cranford	Kornegay	Pratt
Crum	Lancaster	Rainer
Doyle (Clark)	Lawson	Rice
Doyle (Marengo)	Lee (Barbour)	Rowe

Rushton
Sample
Sanders
Seale
Sherrod

Smith (Elmore)
Smith (Lee)
Steagall
Turner

Vann
Weaver
Williams
Woolf

—77.

On motion of Mr. Glover, the bill, H. 300, was ordered sent forthwith to the Senate without engrossment.

H. 390. To create "The Alabama Monument Commission."

Was read a third time, at length, and passed.
Yeas, 74; nays, 0.

Yeas:

Messrs:—

Speaker

Altman

Armstrong

Arnold

Avery

Ballard (Autauga)

Ballard (Pike)

Baltzell

Barton

Benners

Benson

Bloch

Brown

Burgess

Burney

Cannon

Carmichael (Clay)

Coleman (Lowndes)

Coleman (Marshall)

Cranford

Crum

Doyle (Clark)

Doyle (Marengo)

Dudley

Edwards

Elrod

Fuller

Glover

Goodwyn

Haley

Henley

Hoffman

Jenkins

John

Johnson

Jones

Killen

King

Kirby

Kornegay

Lacy (Walker)

Lawson

Lee (Barbour)

Lee (Houston)

Lovelady

Malone

Maner

Mastin

Mitchell

Moore

McDuffie

McMillan

Norville

Oliver

Parker

Pearson

Pitts (Dallas)

Powell (Covington)

Power

Price

Rainer

Rowe

Rushton

Sanders

Seale

Sherrod

Smith (Etowah)

Smith (Franklin)

Smith (Lee)

Steagall

Tunstall

White (Lamar)

White (Perry)

Woolf

—74.

On motion of Mr. John, the bill, H. 390, was ordered sent to the Senate without engrossment.

Mr. Cooper moved to take from the table H. 46, and asked that his motion go over until Friday morning, and be taken up immediately after the report of standing committees.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in House' joint resolution No. 300 which is as follows:

Resolved by the House, the Senate concurring, that when the Legislature adjourns today, the two Houses adjourn to meet Friday morning.

And herewith returns to the House said resolution.

J. A. Kyle,
Secretary.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bills:

H. 531. For the relief of Beverly Jackson, alias Beverley Green.

H. 1314. To abolish and close the dispensary at Headland, Henry county, Alabama.

H. 1141. To repeal an act entitled an act to increase and regulate the fine and forfeiture fund of Lee county, and to provide for the payment of State witnesses out of the same, approved March 4th, 1901.

H. 1142. To repeal an act entitled an act to amend section 4715 of the Code of Alabama.

H. 1316. To vacate, abolish and annul as alleys, streets or public highways, the following streets and alleys as shown and contained in the map of the property of the North Birmingham Land Company, in Jefferson

county, Alabama, to-wit: the alleys running east and west through the center of blocks numbered 214 and 234 and lying between the west line of 14th street and the east line of 15th street; also that portion of Sixth avenue lying along the north of said block 214 and south of what is known as the Jonesville road, as now located at said point; also that portion of Seventh avenue lying between the west line of 14th street and the east line of 15th street; also that portion of 8th avenue lying west of the west line of 14th street and south of block 234; and to annul and extinguish the dedication thereof.

H. 1160. To provide for guards for the Montgomery county jail, and to fix the compensation for such guards.

H. 1275. To provide for the transfer to the Morgan county law and equity court, of all causes, pending in the chancery court of Morgan county, Alabama, at the time of the approval of this act, and to provide for the trial of said causes so transferred.

H. 1273. To provide for the transfer of all causes charging the commission of a misdemeanor, presented by indictment by the grand jury of the circuit court of Morgan county, Ala., to the Morgan county law and equity court of Morgan county, Ala., and to provide for the trial and proceedings in said causes.

H. 378. To amend sections 1321 and 1322 of the Code of 1896, as amended by the act approved March 7, 1907.

H. 900. To amend sections 2, 3, 6, 10, 11 (as amended March 2, 1901) 12 and 18 (as amended March 2, 1901) of "An act to establish a county court for the county of Clay," approved Dec. 13, 1898.

H. 1315. To establish a dispensary in and for the town of Andalusia, in the county of Covington, in the State of Alabama, and to provide for the conduct and regulation of the same.

H. 1090. To create the sixteenth judicial circuit for the State of Alabama, to be composed of the counties of Blount, Etowah and St. Clair, to confer equity jurisdiction on said court as to matters arising in Blount and St. Clair counties, and to provide for registers in chancery therein; to provide for the appointment and election of a judge and solicitor for said circuit and fix

their salaries, and for the removal of pending causes and for the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit and to authorize the judge of said circuit to adopt reasonable rules of practice to facilitate the business of the courts therein; to fix the time of holding courts in said circuit and places at which such courts shall be held and to require that a jury be demanded in civil causes.

H. 641. To appropriate \$1,500 to the Eclectic high school.

H. 229. To provide for official stenographic reporters in the several circuit courts in the State of Alabama, and to provide for their compensation and prescribe their duties, and provide a penalty for the violation of the provisions of this act.

Ernest Lacey,
Chairman.

The report of the committee was concurred in.

BILLS ON THIRD READING.

H. 1120. To amend sections two and three of an act entitled an act "Authorizing the court of county commissioners, upon petition filed and proof being made, and authorizing the State auditor upon proper certificate and proof being furnished him by the judge of probate from the court of county commissioners, to refund to any person owning property subject to taxation in this State, money, which was not due for taxes, but was paid through a mistake or error, in the assessment, or collection of taxes," approved September 29, 1903.

Was read a third time, at length, and passed.

Yeas, 50; nays, 5.

Yeas:

Messrs:—

Altman	Ballard (Pike)	Bloch
Armstrong	Baltzell	Brown
Arnold	Barton	Bulger
Avery	Cenners	Burney
Ballard (Autauga)	Benson	Cannon

Coleman (Marshall)
Cooper
Cranford
Doyle (Clark)
Doyle (Marengo)
Dudley
Elrod
Glover
Goodwyn
Haley
Henley
Hughston

Jenkins
John
Johnson
Jones
King
Kirby
Lacy (Walker)
Lancaster
Lawson
Lee (Barbour)
Malone
Maner

Mastin
Moore
McMillan
Oliver
Pratt
Rainer
Rushton
Sanders
Sanford
Turner
Woolf

—50.

Nays:

Messrs:—

Farker

Powell (Bullock)

Peete

Rice

Pitts (Dallas)

—5.

On motion of Mr. Armstrong, the bill, H. 1120, was sent to the Senate without engrossment.

H. 1132. To amend section 8 of an act entitled "An act to confer and limit the powers of business corporations and to provide for their organization and regulation," approved October 2, 1903.

Was read a third time, at length, and passed.

Yeas 47; nays, 15.

Yeas:

Messrs:—

Speaker

Armstrong

Arnold

Avery

Barton

Benners

Brown

Bulger

Burney

Carmichael (Clay)

Coleman (Lowndes)

Coleman (Marshall)

Cooper

Dudley

Foster

Fuller

Henley

Hoffman

Hughston

Jenkins

John

Killen

King

Lacy (Walker)

Lawson

Lee (Barbour)

Malone

Maner

Mitchell

Moore

Pearson

Pitts (Perry)

Power

Price	Sample	Steagall
Ragsdale	Sanders	Vann
Rainer	Sanford	White (Lamar)
Rattray	Sherrod	White (Perry)
Rushton	Smith (Lee)	

—47.

Nays:

Messrs:—

Ballard (Autauga)	Goodwyn	Oliver
Ballard (Pike)	Long (Butler)	Peete
Bloch	Mastin	Pitts (Dallas)
Cannon	McDuffie	Pitts (Perry)
Doyle (Marengo)	McMillan	Turner

—15.

On motion of Mr. John, the bill, H. 1132, was ordered sent to the Senate without engrossment.

H. 564. To amend section 4797 of the Code of Alabama of 1896.

Was read a third time, at length, and passed.

Yeas, 67; nays, 5.

Yeas:

Messrs:—

Speaker	Doyle (Marengo)	Malone
Alford	Dudley	Maner
Armstrong	Edwards	Mitchell
Arnold	Elrod	Moore
Avery	Fuller	McMillan
Ballard (Autauga)	Glover	Oliver
Ballard (Pike)	Goodwyn	Parker
Baltzell	Haley	Pearson
Benners	Henley	Peete
Benson	Hughston	Pitts (Dallas)
Bulger	John	Powell (Bullock)
Burney	Johnson	Power
Cannon	King	Pratt
Carmichael (Clay)	Kirby	Price
Coleman (Lowndes)	Lancaster	Ragsdale
Coleman (Marshall)	Lawson	Rainer
Cooper	Lee (Barbour)	Rice
Crum	Lovelady	Rowe

Rushton	Smith (Franklin)	Turner
Sample	Smith (Lee)	Vann
Sanford	Steagall	Weaver
Sherrod	Tunstall	White (Lamar)
Smith (Elmore)		

—67.

Nays:

Messrs:—

Foster	Jenkins	Long (Butler)
McDuffie	Woolf	

—5.

On motion of Mr. Rice, the bill, H. 564, was ordered sent to the Senate without engrossment.

H. 1233. To make it unlawful for any person to carry about his person a pistol or firearm of any other kind or description, or air gun, other than on his own premises or from the place of purchasing such firearm or air gun, to his premises or place of business, shorter than twenty-four inches in length, and to fix the burden of proof and the punishment for the violation thereof.

Was taken up. Mr. Rice offered the following substitute for the bill:

Substitute for H. 1233:

A BILL

To be entitled an act to prohibit and regulate the carrying of weapons concealed about the person or carried concealed, and to provide penalties for the violation of same, and to provide for the detection and prosecution of violations of the provisions of this act.

Section 1. Be it enacted by the Legislature of Alabama, That it shall be unlawful for any person to carry or have in his possession off of his own premises, any pistol, gun or other fire arm under twenty-four inches in length; provided, that this provision shall not apply to dealers handling such pistol, gun or other fire arm in the usual course of business; provided further, that this provision shall not apply to any person carrying

such pistol, gun or other fire arm to his premises after acquiring same.

Section 2. That it shall be unlawful for any person to carry any pistol, gun or other fire arm concealed about his person.

Section 3. That any person violating any of the provisions of the two preceding sections of this act, shall upon conviction, be fined not less than \$50.00 nor more than \$100.00, and may also be sentenced to hard labor for the county for not more than six months. But defendant may give evidence, that at the time of carrying the weapon concealed he had good reason to apprehend an attack, which the jury may consider in mitigation of the punishment, or justification of the same.

Section 4. That any person who may point out to any sheriff, deputy sheriff, constable or other officer authorized by law to make arrests any person and make affidavit in writing that such person has at the time concealed about his person any pistol, gun or other fire arm, shall be entitled to one-half the fine imposed upon conviction, to be paid to such informant by the clerk of the court when collected.

Section 5. That it shall be the duty of any sheriff, deputy sheriff, constable or other officer authorized by law to make arrests, upon any person designating another as having any such pistol, gun or other fire arm concealed about his person and making the affidavit prescribed in the next preceding section, to immediately procure a warrant for the arrest of such person, and make the arrest.

Section 6. That it shall be the duty of such sheriff, deputy sheriff, constable or other officer authorized by law to make arrests to whom information may be made under this act to keep as a secret the name of such informant and file the affidavit with the clerk of the court who shall also keep the same as a secret except as to the officers of the court.

Section 7. That any person who shall make a false affidavit causing the wrongful arrest of any person shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$10.00 nor more than \$500.00.

Section 8. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

On motion of Mr. Ballard, of Pike, the substitute offered by Mr. Rice was laid upon the table.

And the bill:

H. 1233. To make it unlawful for any person to carry about his person a pistol or firearm of any other kind or description, or air gun, other than on his own premises or from the place of purchasing such firearm or air gun, to his premises or place of business, shorter than twenty-four inches in length, and to fix the burden of proof and the punishment for the violation thereof.

Was read a third time, at length, and passed.

Yeas, 66; nays, 8.

Yeas:

Messrs:—

Speaker	Fuller	McMillan
Altman	Glover	Norville
Arnold	Goodwyn	Oliver
Avery	Gunter	Pearson
Ballard (Autauga)	Haley	Peete
Ballard (Pike)	Henley	Pitts (Dallas)
Baltzell	Hoffman	Pitts (Perry)
Barton	Jenkins	Pratt
Benners	Johr	Price
Bloch	Johnson	Ragsdale
Brown	Jones	Rowe
Bulger	King	Rushton
Burney	Kirby	Sanders
Cannon	Lacy (Walker)	Sherrod
Carmichael (Clay)	Lancaster	Smith (Elmore)
Coleman (Lowndes)	Lawson	Smith (Etowah)
Coleman (Marshall)	Long (Butler)	Tunstall
Cooper	Lovelady	Vann
Crum	Malone	Weaver
Doyle (Marengo)	Mitchell	White (Lamar)
Dudley	Moore	White (Perry)
Edwards	McDuffie	Woelf

Nays:

Messrs:—

Alford	Foster	Hughston
Parker	Sample	Seale
Smith (Franklin)	Smith (Lee)	

—8.

On motion of Mr. Pitts, of Dallas, the bill, H. 1233, was ordered sent to the Senate without engrossment.

H. 261. To provide for the better protection of the people who may suffer harm by physicians or surgeons who practice their profession while in a state of intoxication.

Was taken up. The question was upon the adoption of the amendment offered by the standing committee on Public Health, said amendment being as follows:

“Amend line four by adding after words ‘who shall’ and before the words ‘administer’ the words ‘prescribe or.’ And also by changing the penalty of the bill so as to read ‘not less than ten nor more than fifty dollars.’”

And the amendment was adopted.

Yeas, 50; nays, 8.

Yeas:

Messrs:—

Avery	Foster	Oliver
Ballard (Autauga)	Fuller	Pearson
Bailard (Pike)	Glover	Pitts (Perry)
Barton	Goodwyn	Powell (Bullock)
Benners	Gunter	Power
Bloch	Haley	Price
Brown	Henley	Ragsdale
Bulger	Hughston	Rainer
Burney	John	Rattray
Cannon	Johnson	Rowe
Carmichael (Clay)	Jones	Rushton
Coleman (Lowndes)	Lacy (Walker)	Smith (Franklin)
Cooper	Lancaster	Steagall
Crum	Lawson	Tunstall
Doyle (Clark)	Malone	White (Lamar)
Dudley	Moore	Woolf
Elrod	McMillan	

—50.

Nays:

Messrs:—

Speaker
Jenkins
Sample

Coleman (Marshall)
McDuffie
Sherrod

Edwards
Norville

—8.

And the bill:

H. 261. To provide for the better protection of the people who may suffer harm by physicians or surgeons who practice their professions while in a state of intoxication.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 3.

Yeas:

Messrs:—

Speaker

Altman

Arnold

Avery

Ballard (Autauga)

Ballard (Pike)

Baltzell

Barton

Renners

Bloch

Brown

Burney

Cannon

Carmichael (Clay)

Coleman (Lowndes)

Cooper

Crum

Doyle (Clark)

Edwards

Elrod

Foster

Fuller

Glover

Goodwyn

Haley

Henley

Hughston

John

~~Johnson~~

Jones

Kilien

Lacy (Walker)

Lancaster

Lee (Barbour)

McMillan

Norville

Oliver

Parker

Pearson

Pitts (Dallas)

Pitts (Perry)

Powell (Bullock)

Power

Price

Ragsdale

Rainer

Rattray

~~Rowe~~

Rushton

Sanders

Sherrod

Smith (Franklin)

Smith (Lee)

Steagall

Tunstall

Turner

—56.

Nays:

Messrs:—

Jenkins

McDuffie

Woolf

—3.

On motion of Mr. Avery, the bill, H. 261, was ordered sent to the Senate without engrossment.

ADJOURNMENT.

The hour of six o'clock having arrived, the House adjourned until 8 p. m.

NIGHT SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Gunter	McMillan
Alford	Haley	Norville
Altman	Henley	Olive
Armstrong	Hoffman	Parker
Avery	Hughston	Pearson
Ballard (Autauga)	Jenkins	Peete
Barton	John	Pitts (Dallas)
Benners	Johnson	Power
Benson	Jones	Pratt
Bloch	Killen	Price
Brown	King	Ragsdale
Cannon	Kirby	Rainer
Coleman (Lowndes)	Lacy (Walker)	Ratray
Cooper	Lancaster	Rice
Crum	Lawson	Rushton
Doyle (Clark)	Lee (Etowah)	Sample
Doyle (Marengo)	Lee (Houston)	Sanders
Edwards	Lyons	Seale
Foster	Malone	Sherrod
Fuller	Mitchell	Smith (Elmore)
Glover	Moore	Smith (Franklin)
Goodwyn	McDuffie	Smith (Lee)

Steagall
Thompson
Tunstall

Vann
Weaver
White (Lamar)

White (Perry)
Williams
Woolf

—75.

A quorum was present.

PRIVILEGES OF THE FLOOR

Were extended to Profs. Wilcox and Duncan for the night session.

RECOMMITTAL OF BILL.

On motion of Mr. Lyons, H. 1361 was taken from the calendar and recommitted to the standing committee on Appropriations.

Mr. Steagall called up the motion to reconsider the vote by which the bill, H. 916, was lost, and the motion to reconsider prevailed.

And the bill:

H. 916. To establish a high school for Dale county to be located at Ozark, Alabama.

Was read a third time, at length, and passed.

Yeas, 54; nays, 9.

Yeas:

Messrs:—

Speaker	Foster	Lee (Houston)
Alford	Glover	Long (Butler)
Armstrong	Goodwyn	Lyons
Avery	Haley	Malone
Barton	Henley	Middleton
Benners	Hoffman	Mitchell
Bloch	Hughston	McMillan
Brown	Jenkins	Parker
Burney	John	Pearson
Cannon	Johnson	Peete
Carmichael (Clay)	Jones	Pitts (Perry)
Coleman (Lowndes)	King	Pratt
Cooper	Kirby	Price
Cranford	Lacy (Walker)	Ragsdale
Doyle (Marengo)	Lawson	Rowe

Hushton	Smith (Lee)	Tunstall
Sanford	Steagall	Turner
Smith (Franklin)	Thompson	Williams

—54.

Nays:

Messrs:—

Ballard (Pike)	Edwards	Lee (Barbour)
Moore	Powell (Bullock)	Power
Rainer	Sample	Sanders

—9.

On motion of Mr. Steagall, the bill, H. 916, was ordered sent forthwith to the Senate without engrossment.

Mr. Thompson called up his motion to take from the adverse calendar the bill H. 724, and moved that the bill be referred to a committee of the whole House, and the motion prevailed.

The Speaker named Mr. Haley as chairman of the committee of the whole.

The committee rose and reported that the bill, H. 724, had been taken from the adverse calendar and ordered reported favorably.

And the bill:

H. 724. To amend section 10 of an act entitled an act to amend an act to incorporate the Tuskegee Normal and Industrial Institute, and to amend an act to amend an act to establish a normal school for colored teachers at Tuskegee, Alabama, approved Feb. 21st, 1893.

Was read a second time and placed on the calendar.

Mr. Sample called up his motion to take from the adverse calendar H. 332 and asked that his motion be postponed until Friday.

BILLS ON THIRD READING.

H. 1362. To establish a dispensary in and for the town of Florala in the county of Covington, State of Alabama, and to provide for the conduct and regulation of the same:

Was read a third time, at length, and passed.

Yeas, 61; nays, 1.

Yeas:

Messrs:—

Speaker

Alford
Altman
Arnold
Avery
Baltzell
Barton
Benners
Benson
Bloch
Brown
Burney
Cooper
Crum
Elrod
Foster
Fuller
Glover
Gunter
Haley
Henley

Hoffman

Jenkins

John

Jones

Killen

King

Kirby

Lawson

Lindsey

Lovelady

Lyons

Malone

Middleton

Mitchell

Moore

Norville

Oliver

Parker

Pearson

Peete

Powell (Covington)

Power

Pratt

Price

Rainer

Rattray

Rice

Rowe

Rushton

Sample

Sanders

Seale

Sherrod

Steagall

Thompson

Turner

Vann

Weaver

Williams

Woolf

—61.

Nays:

Messrs:—

Mr. Cannon

—1.

S. 523. To create and establish a commission to be known as "Selma Water Works Commission," to prescribe their qualifications, mode of election, powers and compensation, terms of office, and to fix a maximum rate to be charged for water in Selma, Alabama.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker

Alford
Altman

Arnold

Barton

Benners

Benson

Bloch

Brown

Burney	Kirby	Ragsdale
Cannon	Kornegay	Rainer
Cooper	Lawson	Rattray
Crum	Lindsey	Rice
Dudley	Lovelady	Rowe
Edwards	Lyons	Rushton
Elrod	Malone	Sample
Foster	Mitchell	Sanders
Fuller	Moore	Sanford
Glover	Oliver	Seale
Goodwyn	Parker	Sherrod
Gunter	Pearson	Steagall
Haley	Peete	Thompson
Jenkins	Pitts (Dallas)	Turner
John	Power	Vann
Johnson	Pratt	Weaver
Jones	Price	Williams
Killen	Pugh	Wolf
King		

—62.

S. 420. To further regulate the working of the public roads of Bibb county, Alabama.

Was taken up. Mr. Fuller offered the following amendment to the bill:

Amendment by Mr. Fuller to S. B. 420:

Amend the title to Senate bill 420, by adding after the last word in the title as shown by the engrossed bill, the following words: "To further provide and regulate the building and repairing of bridges along said public roads, to further provide for and regulate the maintenance and up keep of said public roads and bridges, to further regulate the public road affairs of said county, and to provide punishment for the violations of this act."

Amend section 9 of the bill as engrossed by striking out all of that part of said section from and including the word "fixed" where it occurs in the second line of said section, to and including the word "supervisors", where it occurs in the eighth line of said section, and insert in lieu thereof, the words "seventy-five dollars per month from the time the supervisors are actually en-

gaged, in person and not by substitute in the performance or discharge of their duties as such supervisors."

Amend said bill by striking out all of section 11. Also amend said bill by adding the following section thereto:

Section 31. The court of county commissioners of said county are hereby authorized to fix and prescribe a license for each and every engine or vehicles or other contrivance of like kind or description, weighing more than four thousand pounds which makes use of the public roads of said county, said license to be paid monthly by the person owning or operating said engine or vehicle, to the road supervisor of the district in which same makes use of roads of said county. Said county shall have a lien on said engine or vehicle for the amount of said license which shall be superior to all other liens except for taxes and said lien may be enforced and satisfied by appropriate proceedings in the chancery court held for said county or may be enforced and collected as material man's liens are enforced and collected.

Section 32. It shall be a misdemeanor for any unauthorized person to change or alter the width or otherwise alter or change any bridge on the public roads of said county, and on conviction therefor shall be fined not more than five hundred dollars.

Section 33. The court of county commissioners of said county are hereby authorized to fix and prescribe ~~a license for each wagon, dray or other vehicle which is drawn or used on the public roads of said county when~~ said wagon, dray or other vehicle is used in hauling or carrying a load or weight of more than four thousand pounds, and said license may be imposed for the right to use any particular portion of the public roads of said county. Said license shall be payable monthly and shall be collected by the road supervisors of said county and shall be a first lien except for the taxes on any ~~such~~ wagon or vehicle as is named above. Said lien may be enforced by appropriate proceedings in the chancery court of said county by said supervisor of the respective districts for the benefit and to the use of said county, and all licenses collected under the provisions of this act shall be paid into the road funds of said county for

the benefit of the district in which they may accrue. And the said licenses may also be enforced and collected as prescribed by law for the enforcement of a material man's lien.

Section 34. The court of county commissioners of Bibb county shall have charge of and jurisdiction of the repairs or building of all bridges in said county where the cost of building or repairing amounts to more than twenty-five dollars, and payment for such building and repairing of bridges where the amount of the cost exceeds twenty-five dollars, shall be paid out of the general fund of said county.

And the amendment was adopted.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Peete
Alford	Haley	Power
Altman	Henley	Pratt
Arnold	Jenkins	Price
Baltzell	John	Rainer
Barton	Jones	Rattray
Benners	Killen	Rice
Benson	King	Rowe
Bloch	Kirby	Rushton
Burney	Lancaster	Sample
Cannon	Lawson	Sanders
Coleman (Lowndes)	Lovelady	Sanford
Cooper	Lyons	Seale
Cranford	Malone	Sherrod
Crum	Maner	Steagall
Dudley	Mitchell	Tunstall
Edwards	Moore	Turner
Elrod	Norville	Vann
Foster	Oliver	Weaver
Fuller	Parker	Woolf
Glover	Pearson	

And the bill:

S. 420. To further regulate the working of the public roads of Bibb county, Alabama.

As amended, was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Power
Alford	Gunter	Pratt
Altman	Haley	Price
Arnold	Henley	Rainer
Avery	Hughston	Rattray
Baltzell	John	Rice
Barton	Jones	Rowe
Benson	Killen	Sample
Bloch	King	Sanders
Brown	Kirby	Sanford
Bulger	Lawson	Seale
Burney	Lovelady	Sherrod
Cannon	Lyons	Steagall
Cooper	Malone	Thompson
Cranford	Maner	Tunstall
Crum	Mitchell	Turner
Dudley	Moore	Vann
Edwards	Oliver	Weaver
Elrod	Parker	Williams
Foster	Pearson	Woolf
Fuller	Peete	

S. 411. To divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Arnold	Barton
Alford	Avery	Benners
Altman	Baltzell	Benson

Bloch	Jenkins	Pratt
Brown	John	Price
Bulger	Johnson	Rainer
Burney	Jones	Rattray
Cannon	Killen	Rice
Coleman (Lowndes)	King	Rowe
Cooper	Kirby	Sample
Cranford	Lawson	Sanders
Crum	Lyons	Sanford
Dudley	Malone	Seale
Elrod	Maner	Sherrod
Foster	Mastin	Steagall
Fuller	Moore	Tunstall
Glover	Oliver	Turner
Gunter	Parker	Vann
Haley	Pearson	Weaver
Henley	Peete	Woolf
Hoffman	Power	

—62.

S. 412. To provide for the compensation of the deputy solicitor of Lowndes county.

Was read a third time, at length, and passed

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Cranford	Kirby
Alford	Crum	Lawson
Altman	Elrod	Lovelady
Arnold	Foster	Lyons
Avery	Fuller	Malone
Baltzell	Glover	Maner
Barton	Gunter	Mastin
Benson	Haley	Moore
Bloch	Hoffman	Norville
Brown	Jenkins	Oliver
Bulger	John	Parker
Burney	Johnson	Pearson
Cannon	Jones	Peete
Coleman (Lowndes)	Killen	Power
Cooper	King	Pratt

Price	Sanders	Tunstall
Rainer	Sanford	Turner
Rattray	Seale	Vann
Rice	Sherrod	Weaver
Rowe	Steagall	Woolf
Sample	Thompson	

—62.

H. 1222. To create a police commission for the city of Huntsville and to define its jurisdiction and powers. Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Pratt
Alford	Haley	Price
Altman	Henley	Ragsdale
Arnold	Hoffman	Rainer
Avery	John	Rattray
Baltzell	Johnson	Rice
Barton	Jones	Rowe
Benners	Killen	Rushton
Benson	King	Sample
Bloch	Kirby	Sanders
Brown	Lyons	Sanford
Burney	Malone	Seale
Cannon	Maner	Sherrod
Cooper	Mastin	Steagall
Cranford	Moore	Thompson
Crum	Norville	Tunstall
Edwards	Oliver	Turner
Elrod	Parker	Vann
Foster	Pearson	Weaver
Fuller	Peete	Williams
Glover	Power	Woolf

—62.

H. 1321. To repeal sections 4, 5, 6 and 8 of an act entitled an act to "better provide for working the public roads in the counties of Baldwin, Escambia and Monroe, approved February 9th, 1901, in so far as the same ap-

plies to the county of Monroe and to amend sections twelve of said act and further regulate the working of the public roads in Monroe county.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Parker
Alford	Gunter	Pearson
Altman	Haley	Peete
Arnold	Henley	Power
Avery	Hoffman	Pratt
Baltzell	Jenkins	Price
Barton	John	Ragsdale
Benners	Jones	Ralner
Benson	Killen	Rattray
Bloch	King	Rice
Brown	Kirby	Rowe
Bulger	Lawson	Sample
Burney	Lyons	Sanders
Cannon	Malone	Sanford
Cooper	Maner	Seale
Cranford	Mastin	Sherrod
Crum	Moore	Turner
Edwards	McDuffie	Vann
Elrod	McMillan	Weaver
Foster	Norville	Woelf
Fuller	Oliver	

—62.

S. 190. To make the judge of the city court of Montgomery and the associate judge of the city court of Montgomery, elective by the people.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Arnold	Barton
Alford	Avery	Benners
Altman	Baltzell	Benson

Bloch	Hughston	Pratt
Brown	Jenkins	Price
Bulger	John	Ragsdale
Burney	Johnson	Rainer
Cannon	Jones	Rattray
Cooper	Killen	Rice
Cranford	King	Rowe
Crum	Kirby	Rushton
Edwards	Lovelady	Sample
Elrod	Lyons	Sanders
Foster	Malone	Sanford
Fuller	Moore	Seale
Glover	Norville	Sherrod
Goodwyn	Oliver	Tunstall
Gunter	Parker	Turner
Haley	Pearson	Vann
Henley	Peete	Weaver
Hoffman	Power	Woolf

—62.

H. 1356. For the relief of John Milford, an ex-confederate soldier, being a resident of Chilton county, Alabama.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—		
Speaker	Cranford	King
Alford	Crum	Kirby
Altman	Edwards	Lawson
Arnold	Elrod	Lyons
Avery	Foster	Malone
Baltzell	Fuller	Maner
Barton	Glover	Middleton
Benson	Goodwyn	Moore
Bloch	Gunter	Norville
Brown	Haley	Oliver
Bulger	Henley	Parker
Burney	John	Pearson
Cannon	Johnson	Peete
Cooper	Jones	Power
	Killen	Pratt

Price	Rushton	Thompson
Ragsdale	Sample	Tunstall
Rainer	Sanders	Turner
Rattray	Sanford	Vann
Rice	Seale	Weaver
Rowe	Sherrod	Woolf

—62.

S. 401. For the relief of J. L. Smith, an ex-confederate soldier, being a resident of Randolph county, Ala.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Peete
Alford	Gunter	Power
Altman	Haley	Pratt
Arnold	Henley	Price
Avery	Jenkins	Ragsdale
Baltzell	John	Rainer
Barton	Jones	Rattray
Benners	Killen	Rice
Benson	King	Rowe
Bloch	Kirby	Rushton
Brown	Lawson	Sample
Bulger	Lyons	Sanders
Burney	Malone	Sanford
Cannon	Maner	Seale
Cooper	Mastin	Sherrod
Crum	Moore	Turner
Edwards	Norville	Vann
Elrod	Oliver	Weaver
Foster	Parker	Williams
Fuller	Pearson	Woolf
Glover		

—62.

H. 1201. To regulate and prescribe the manner of electing county commissioners in the county of Walker, fix their their compensation and provide for holding reg-

ular, special and adjourned terms of the court of county commissioners.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker

Alford

Altman

Arnold

Avery

Baltzell

Barton

Benness

Benson

Bloch

Brown

Bulger

Burney

Cannon

Cranford

Crum

Dudley

Edwards

Elrod

Foster

Fuller

Glover

Gunter

Haley

Henley

Jenkins

John

Johnson

Jones

Killen

King

Kirby

Lawson

Lyons

Malone

Maner

Mastin

Mitchell

Moore

Norville

Oliver

Parker

Pearson

Peete

Power

Pratt

Price

Ragsdale

Rainer

Rattray

Rice

Rowe

Rushton

Sample

Sanders

Sanford

Seale

Sherrod

Steagall

Thompson

Vann

Weaver

Woolf

—62.

S. 397. To fix the boundary line between the counties of Randolph and Cleburne and to define the same.

Was read a third time, at length, and passed.

Yeas, 75; nays, 0.

Yeas:

Messrs:—

Speaker

Alford

Altman

Arnold

Avery

Baltzell

Barton

Benness

Benson

Bloch

Brown

Bulger

Burney

Cannon

Cooper

Cranford

Crum

Dudley

Edwards	Lovelady	Rice
Elrod	Lyons	Rowe
Foster	Malone	Rushton
Fuller	Maner	Sample
Glover	Mastin	Sanders
Goodwyn	Mitchell	Sanford
Gunter	Moore	Seale
Haley	McMillan	Sherrod
Henley	Norville	Smith (Elmore)
Hoffman	Oliver	Smith (Etowah)
Hughston	Parker	Smith (Lee)
Jenkins	Pearson	Steagall
John	Peete	Thompson
Johnston	Power	Tunstall
Jones	Pratt	Turner
Killen	Price	Vann
King	Ragsdale	Weaver
Kirby	Rainer	Williams
Lawson	Ratray	Woolf

—75.

S. 260. To detach the county of Winston from the Northwestern chancery division of Alabama; to confer equity jurisdiction on the circuit court of said county; to provide for the appointment of a register for the equity side of said circuit court.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Bulger	Glover
Alford	Burney	Goodwyn
Altman	Cannon	Gunter
Arnold	Cooper	Haley
Avery	Cranford	Henley
Baltzell	Crum	John
Barton	Dudley	Johnson
Benners	Edwards	Jones
Benson	Elrod	Killen
Bloch	Foster	King
Brown	Fuller	Kirby

Lawson	Power	Sanford
Lyons	Pratt	Seale
Malone	Price	Sherrod
Maner	Rainer	Steagall
Mastin	Rattray	Tunstall
Moore	Rice	Turner
Oliver	Rowe	Vann
Parker	Rushton	Weaver
Pearson	Sample	Woolf
Peete	Sanders	

—62.

S. 458. To create the office of court stenographer for Dallas county; to provide for his compensation; to prescribe his powers and duties; and to provide for the taxing and collecting and disposal of stenographer's fees in the courts of record of Dallas county.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Elrod	Mastin
Alford	Foster	Moore
Altman	Fuller	McMillan
Arnold	Glover	Norville
Avery	Gunter	Oliver
Baltzell	Haley	
Barton	Henry	
Benners	John	Pearson
Benson	Johnson	Peete
Bloch	Jones	Pitts (Dallas)
Brown	Killen	Power
Bulger	King	Pratt
Burney	Kirby	Price
Cannon	Kornegay	Rainer
Cooper	Lawson	Rattray
Cranford	Lovelady	Rice
Crum	Lyons	Rowe
Dudley	Malone	Rushton
Edwards	Maner	Sample

Sanders	Sherrod	Weaver
Sanford	Turner	Woolf
Seale	Vann	

—62.

H. 854. To prohibit the sale, barter or exchange, giving away, lending, delivering, or otherwise disposing of any spirituous, vinous, or malt liquors, intoxicating beverages, bitters, beers, "hop jack," or intoxicating proprietary medicine of any kind, except upon the written prescription of a practicing physician, within one and a half miles of "Bethel" Methodist Episcopal Church South, situated at Dolcito, in precinct (11) eleven, Jefferson county, Alabama.

Was read a third time, at length and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Power
Alford	Haley	Pratt
Altman	Henlev	Price
Arnold	John	Ragsdale
Avery	Johnson	Rainer
Baltzell	Jones	Rattray
Barton	Killen	Rice
Benners	King	Rowe
Benson	Kirby	Rushton
Bloch	Lindsey	Sample
Brown	Lovelady	Sanders
Bulger	Lyons	Sanford
Burney	Malone	Seale
Cannon	Maner	Sherrod
Cooper	Mastin	Steagall
Crum	Moore	Tunstall
Edwards	Norville	Turner
Eldred	Oliver	Vann
Foster	Parker	Weaver
Fuller	Pearson	Williams
Glover	Peete	Woolf

—62.

ADJOURNMENT.

On motion of Mr. Bloch, the House adjourned until Friday morning at 8:30 o'clock.

FORTY-FIFTH DAY.

House of Representatives,
Friday, July 26, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by the Rev. Mr. Malone, of the House.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Yeas:

Messrs:—

Speaker	Doyle (Marengo)	Lee (Houston)
Alford	Dudley	Long (Butler)
Altman	Edwards	Long (Morgan)
Armstrong	Elrod	Lyons
Arnold	Foster	Malone
Arrington	Fuller	Maner
Avery	Glover	Mastin
Ballard (Autauga)	Goodwyn	Middleton
Ballard (Pike)	Gunter	Mitchell
Baltzell	Haley	Moore
Barton	Henley	McCrory
Benners	Hughston	McDuffie
Benson	Jenkins	McMillan
Bloch	John	Norville
Brown	Johnson	Oliver
Bulger	Jones	Parker
Burney	Killen	Pearson
Cannon	King	Peete
Carmichael (Clay)	Kirby	Pitts (Dallas)
Coleman (Lowndes)	Lacy (Walker)	Pitts (Perry)
Coleman (Marshall)	Lancaster	Powell (Bullock)
Cooper	Lawson	Powell (Covington)
Cranford	Lee (Barbour)	Power
Crum	Lee (Etowah)	Pratt
Doyle (Clark)		Pugh

Ragsdale	Seale	Tunstall
Rainer	Sherrod	Turner
Rattray	Smith (Elmore)	Vann
Rice	Smith (Etowah)	Weaver
Rowe	Smith (Franklin)	White (Lamar)
Rushton	Smith (Lee)	White (Perry)
Sample	Steagall	Williams
Sanders	Thompson	Woolf
Sanford		

—100.

A quorum was present.

JOURNAL.

The acting chairman of the standing committee on the Revision of the Journal, made the following report:

Mr. Speaker:

Your committee on the Revision of the Journal beg leave to report as follows:

We have examined the journal for the Forty-fourth day and find the same to be correct.

R. C. Smith,
Acting Chairman.

The report of the committee was concurred in and the journal of the 44th day was approved.

LEAVE OF ABSENCE

Were granted to Messrs. Kornegay, Lovelady, Price and Lindsey for today.

PRIVILEGES OF THE FLOOR

Were extended to Hon. J. M. Carmichael, T. J. Fair and H. L. Martin, of Oark; W. B. Folmer, of Troy; Prof. Thatch, of Auburn; and Prof. Shackelford, of Troy, for today.

MOTION TO RECONSIDER.

Mr. Cooper called up his motion to reconsider the vote by which the bill H. 116 was lost.

And the motion to reconsider prevailed; and the bill:

H. 46. Regulating the sale of food in the State of Alabama, and providing penalties for the violation thereof.

Was read a second time and placed on the calendar.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following resolution with a favorable report:

Rules Committee:

H. R. 303. The committee on Rules, having considered the report made by the joint committee to investigate the charges made against the management of the Alabama Insane Hospital, report that it is but just to the management of the hospital and to the people of the State that a thorough, fair and judicial investigation of the condition and management of the Alabama Insane Hospitals should be had, and to that end recommend that, H. B. 1370, To provide for a commission to investigate the management of the Insane Hospitals, etc., be made a special, continuing and paramount order for Friday, ~~July 26th, 1907~~, immediately after the special order H. 941.

Rules Committee:

H. R. 304. The committee on Rules reports that H. B. 1359, "To appropriate \$6,000 annually for the years of 1907, 1908, 1909 and 1910 for the purpose of keeping up the capitol grounds," has been favorably considered, and recommend that this bill be made a special, continuing order immediately after S. 541.

And the report of the committee was concurred in.

And the following resolutions with a favorable report as amended:

H. R. 298, 302, 296, 281 and 265.

And the resolutions as amended were adopted.

And the following resolution with an adverse report:
H. R. 299.

RESOLUTIONS.

The following resolutions were introduced:

By Mr. Coleman, of Marshall:

H. J. R. No. 305. Whereas, the House and Senate are losing much valuable time by adjourning or recessing from day to day and from time to time, and burdening the State with additional and unnecessary expense, and in the end accomplishing no more than if the Legislature remained in session and continued business,

Therefore, be it resolved by the House, the Senate concurring: First: That the Legislature remain in session continuously from day to day as follows: Friday, the 26th; Saturday, the 27th; Monday, the 29th; Tuesday, the 30th; Wednesday, the 31st; recess Thursday, the 1st, and on Friday, the 2nd, adjourn sine die.

Second: That the Speaker on the part of the House and the President on the part of the Senate be instructed and empowered to employ any and all additional help and labor needed in the offices of the clerk of the House and secretary of the Senate to aid in performing the work and labor of these officials.

Rules.

By Mr. Glover:

H. J. R. No. 306. Resolved by the Legislature, that the governor be, and he is requested to return to the House H. B. 935, same being an act, to establish the city court of Bessemer," for the correction of an error made in the enrollment of the bill.

Rules suspended and adopted.

By Mr. Rushton:

H. R. No. 307. Resolved, that House bill No. 1302, Regulating primary elections in Alabama, be made a special, paramount, continuing order for 10 o'clock a. m. of the next legislative day.

Rules.

By Mr. Vann:

H. R. 308. Resolved, that beginning with today the roll of members be called from the tail end and go up for the passage of general bills at the afternoon session.

Rules.

By Mr. Gunter:

H. R. No. 309. Resolved by the House of Representatives, that Senate bill 61, To establish an epileptic colony, be made a special order for the next legislative day.

Rules.

BILLS ON SECOND READING.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

H. 1390. To provide for the appointment of an official stenographer for the Second judicial circuit of Alabama, and to prescribe his duties, and to fix his compensation.

H. 1386. To amend section two (2) of an act entitled, "An act to regulate the practice in the circuit court of Calhoun county," approved 12th day of March 1907.

S. 391. To fix the salary of the judge of the city court of Talladega county, and to provide for payment of the same.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report, with amendment:

S. 511. (With amendment.) To authorize the Alabama Industrial School for White Boys, to acquire real

estate by purchase, condemnation or otherwise for the use of said school.

Mr. Lee, of Etowah, chairman of the standing committee on Education, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

H. 1328. To prescribe the qualifications and additional duties of county superintendents, and to provide a more efficient supervision for the public schools of Alabama.

H. 1344. To authorize the county board of education of Chambers county to establish a high school anywhere in the county.

H. 1371. To empower the superintendent of education to give certificates of proficiency and of license to teach.

S. 321. To amend sections 3700 of the Code of Alabama of 1896, as amended by an act of the Legislature of Alabama, approved February 12th, 1903.

S. 495. To create a board of education for the Huntsville school district for Madison county, Alabama, to provide for the election of their successors, to define the powers and duties of said board and to provide for the management, support and maintenance of the public schools of said district.

H. 1325. For the benefit of the common schools of Alabama.

S. 305. To enlarge the powers of the board of trustees, hereafter to be known as the board of education of the school district of New Decatur.

Mr. Ballard, of Autauga, chairman of the standing committee on Temperance, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report, with amendment:

H. 1326. (With amendment.) To make the sale, barter or exchange of vinous, spirituous or malt liquors

or intoxicating beers and beverages of any kind in a prohibition district a felony.

Mr. Ballard, of Autauga, chairman of the standing committee on Temperance, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

H. 1360. To prohibit the re-opening of dispensaries for the sale of liquors which have been closed and have ceased to do business, unless reestablished as provided by the act approved Feb. 26, 1907, or the act approved March 6, 1907.

H. 1376. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors, or other intoxicating drinks, in Henry county, and to provide punishment of violator of said act.

H. 1382. To amend an act entitled "an act to provide for an election by the qualified electors of Tuscaloosa county, to determine whether the sale, barter, exchange, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters and proprietary medicines and to prohibit the shipping into said county by any common carrier and the bringing into said county by any person for the use of any other person than himself, any such spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines by any person in said county over any telegraph or tele-

phone line, and to provide penalties for all such prohibited acts.

S. 567. To authorize incorporated towns and cities of Tuscaloosa county to establish, maintain and operate dispensaries and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors, and to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; to further regulate the sale of liquors in said county; and to repeal an act entitled, "An act to authorize all incorporated towns, and cities in Tuscaloosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county," approved on the 27th day of February, 1901. This act not being intended, however, to repeal or affect any existing law under which the sale of liquors in said county may hereafter be prohibited.

Mr. Ragsdale, chairman of the standing committee on Public Health, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report with an amendment:

S. 61. (With amendment.) To establish a colony for epileptics in Alabama, and to provide means for carrying the same into effect.

Mr. Rowe, acting chairman of the standing committee on Appropriations, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

H. 1361. To make an appropriation for the payment of the expenses of confederate reunions in this State.

S. 548. For the relief of Mrs. W. J. Smyley, of Marengo county, the widow of a confederate soldier.

Mr. Long, of Butler, chairman of the standing committee on Commerce and Common Carriers, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

S. 398. To further prescribe the powers of the railroad commission of Alabama, and to authorize it to change any classification of railroads or of any articles of freight, or any rates or charges for the transportation of freight or passengers which have been or which may hereafter be prescribed by statute, or any prevailing rates or charges for such transportation which have been, or which may hereafter be, by statute made the maximum rates.

S. 399. To amend sections 2, 3, and 4, of an act entitled, "An act to regulate railroads and other common carriers in this State, to secure reasonable rates and adequate service and prevent unjust discrimination in their public service, and prescribe penalties for violation thereof," approved February 23, 1907.

Mr. Gunter, chairman of the standing committee on Municipal Organization, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

S. 395. To amend an act entitled "An act to establish a charter for the town of Wedowee, Randolph county, Alabama," approved February 8th, 1901.

S. 519. To ratify, confirm and validate loans of money, evidenced by notes or bonds and secured by mortgages, or either, made by any city or town out of any funds belonging thereto.

Mr. Gunter, chairman of the standing committee on Municipal Organization, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report, with amendment:

H. 1327. (With amendment.) To amend sections 1, 2, 3 of an act entitled an act to provide a new charter for the town of Cordova, Walker county, Alabama, approved December 13th, 1900.

Mr. Jenkins, chairman of the standing committee on Counties and County Boundaries, reported that said committee in session had acted on the following bill and ordered the same returned to the House with a favorable report:

H. 1140. To amend section 1 of an act entitled "An act to provide for holding elections on the question of changing or locating county seats, and, in the event of a majority of the qualified electors of a county voting at such election shall vote in favor of changing or locating the county seat, to provide for changing or locating such county seat and the erection of the necessary county buildings and to provide for the necessary county offices.

Mr. Gunter, chairman of the standing committee on Municipal Organization, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report:

H. 1363. To amend an act to alter and rearrange the boundaries of the city of Montgomery extending the corporate limits of said city, approved Feb. 23, 1903.

Mr. Gunter, chairman of the standing committee on Municipal Organization, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with an amendment:

H. 1378. (With amendment.) To allow cities and towns to issue bonds to refund outstanding indebtedness.

The above and foregoing bills were severally read a second time, and placed on the calendar.

BILLS REPORTED ADVERSELY.

Mr. Rowe, acting chairman of the standing committee on Appropriations, reported that said committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

H. 1172. To set aside all moneys arising from the sale of fertilizer tags, sale of licenses, or any other

funds collected by the Department of Agriculture and Industries paid into the State treasury, not otherwise appropriated, and six thousand (\$6,000.00) dollars from any funds in the treasury, not otherwise appropriated, for the use of the Department of Agriculture and Industries for the purpose of holding Farmers' Institutes, conducting experiments, gathering statistics, paying the salary of the State chemist, printing and distributing bulletins and hand-books and for carrying out any laws now in existence or may hereafter be enacted for the betterment of the agricultural interests.

Mr. Ragsdale, chairman of the standing committee on Public Health, reported that said committee had acted on the following bills, in session, and ordered the same returned to the House with an adverse report:

H. 519. To require a license for the peddling of patent or proprietary medicines and for the taking of orders for the present or future delivery of goods by retail in the counties of this State.

H. 1318. To amend section six of an act approved December 12th, 1894, entitled "An act to establish a State board of embalming, to provide for the better protection of life and health, to prevent the spread of contagious diseases, and to regulate the practice of embalming and the disposition of the dead."

Mr. Ballard, of Autauga, chairman of the standing committee on Temperance, reported that said committee had acted on the following bill, in session, and ordered the same returned to the House with an adverse report:

H. 1276. To authorize fruit growers of Morgan county to sell wine of their own vintage in quantities of not less than one gallon within said county except within one mile of Franklin College.

Mr. Lee, of Etowah, chairman of the standing committee on Education, reported that said committee had acted on the following bills, in session, and ordered the same returned to the House with an adverse report:

H. 1236. To amend section 3622 of the Code of 1896.

H. 1336. To provide for the examination and licensing of fourth grade teachers in Alabama.

Mr. Pitts, of Dallas, chairman of the standing committee on Revision of Laws, reported that said committee had acted on the following bills, in session, and ordered the same returned to the House with an adverse report:

H. 343. To amend section 4420 of the Code of Alabama.

H. 1387. To regulate the discharge of firearms near the dwelling house, curtilage or premises of another.

H. 1388. To amend section 5606 of the Code of Alabama.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee had acted on the following bills, in session, and ordered the same returned to the House with an adverse report:

H. 1383. To provide for the payment of witnesses before grand juries and State witnesses in all criminal cases out of the general funds, out of which grand juries are paid, and to provide compensation for the clerk of the board of revenue of the several counties for services required of him under this act.

H. 1389. To fix the fee to be paid on the issuance of a warrant by the governor for the arrest of a fugitive from justice of a foreign State or territory.

Mr. Rushton, chairman of the standing committee on Banking and Insurance, reported that said committee had acted on the following bill, in session, and ordered the same returned to the House with an adverse report:

H. 1374. To prohibit misrepresentations by life insurance companies and to prohibit rebating and discrimination and to prohibit certain practices and to provide a pealty for accepting rebate.

Mr. Lee, of Etowah, chairman of the standing committee on Education, reported that said committee in

session had acted on the following bill and ordered same returned to the House with an adverse report:

H. 1366. To repeal an act entitled an act to create the Fellowship school district in Lamar county, approved March 4, 1901.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Rice:

H. 1391. To prescribe the rules of evidence upon applications of confederate soldiers or sailors, resident citizens of Alabama, and their widows, for pensions under the pension laws of Alabama as to proving the fact of service in the confederate army, or in the State troops of Alabama and that they did not desert, and to provide for a special session of the State and county boards of examiners during the year 1907 for the examination of applicants, and to repeal all laws and parts of laws in conflict with this act.

Judiciary.

By Mr. Power:

H. 1392. To amend section 4715 of the Code of Alabama 1896, as amended by an act approved Feby. 21, 1899.

Revision of Laws.

By Mr. Pugh:

H. 1393. To create and declare a lien in favor of saw mill laborers, teamsters, choppers, sawyers, and all other persons who contribute their labor to the manufacture of timber, or cutting and running of saw logs.

Judiciary.

By Mr. Sample:

H. 1394. To amend section 3 of an act entitled an act relating to the preservation, propagation and protection of the fish of Alabama.

Game, Fish and Forestry Preservation.

BILL ON THIRD READING.

H. 1028. To repeal section 22 of an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Pearson
Alford	Henley	Peete
Arnold	Hughston	Pitts (Dallas)
Ballard (Autauga)	John	Powell (Bullock)
Ballard (Pike)	Jones	Pratt
Baltzell	Killen	Pugh
Benners	Kirby	Ragsdale
Bloch	Lacy (Walker)	Rainer
Bulger	Lawson	Rice
Cannon	Lee (Barbour)	Rowe
Coleman (Powndes)	Long (Morgan)	Sample
Cooper	Malone	Sanders
Cranford	Mastin	Seale
Crum	Mitchell	Smith (Lee)
Doyle (Clark)	Moore	Steagall
Doyle (Marengo)	McMillan	Tunstall
Edwards	Oliver	Weaver
Fuller	Parker	White (Perry)
Glover		

—55.

On motion of Mr. Foster, the bill, H. 1028, was ordered sent forthwith to the Senate without engrossment.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills have examined the following bills and beg leave to report the same correctly enrolled:

H. 1205. An act to amend section 3915 of the Code as amended by an act entitled an act to better provide for the revenue of the State, approved March 4, 1903.

H. 940. To provide for the publication and distribution of the Code of Alabama and the acts of the Legislature.

H. 1211. To amend an act entitled an act to further amend the revenue laws of the State of Alabama.

H. 1189. To amend section 8 of an act entitled an act to further amend the revenue laws of the State of Alabama, approved March 7, 1907.

H. 1154. To amend section 9 of an act, entitled an act to further amend the revenue laws of the State of Alabama, approved March 7, 1907.

H. 927. To further provide for the further construction, maintenance and repair of public roads in Jackson county.

J. S. Williams, Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the committee on Enrolled Bills.

REPORT OF CONFERENCE COMMITTEE.

To the Senate and House of Representatives:

Your committee of conference on amendments to Senate bill No. 509, beg leave to report and recommend: That the House of Representatives recede from the amendment offered to section two, and in lieu thereof strike out words "January, 1908" in line 4, Sec. 2, of the bill and insert words "December, 1907," and that the House of Representatives recede from the amendment offered to section seventeen and substitute therefor the following:

"There shall be no recorder in towns," to be added at the end of the section.

We recommend that the House of Representatives recede from the amendment known as section 201 of said bill and in lieu thereof insert the following:

"Section 201. That no mayor or alderman of any municipality shall accept employment, after his election, and during his term of office, from any public service company or corporation operating under any franchise granted by the municipality, and any person accepting such employment after his election thereby vacates his office."

We, the said committee, recommend that the other amendments be concurred in.

Gaston Gunter,
J. H. Cranford,
C. M. Sherrod,
Committee on part of the House.
Jas. W. Strother,
W. T. Lowe,
Norman Gunn,
Committee on part of the Senate.

On motion of Mr. Gunter, the House concurred in and adopted the report of the conference committee on the disagreement of the two Houses on the House amendments to the bill S. 509.

Yeas, 61; nays, 7.

Yeas:

Messrs:—

Speaker	Brown	Fuller
Altman	Burney	Goodwyn
Armstrong	Carmichael (Clay)	Gunter
Arnold	Coleman (Lowndes)	Haley
Arrington	Coleman (Marshall)	Hughston
Ballard (Autauga)	Cooper	Jones
Ballard (Pike)	Cranford	Killen
Baltzell	Crum	King
Barton	Doyle (Clark)	Lancaster
Benners	Edwards	Lawson
Bloch	Elrod	Lee (Etowah)

Lee (Houston)	Powell (Covington)	Sherrod
Long (Butler)	Power	Smith (Elmore)
Lyons	Pratt	Smith (Franklin)
Moore	Pugh	Steagall
McDuffie	Rainer	Turner
McMillan	Rice	Weaver
Parker	Rowe	White (Lamar)
Pearson	Rushton	White (Perry)
Pitts (Dallas)	Seale	Woolf
Powell (Bullock)		

—61.

Nays:

Messrs:—

Cannon

Glover

John

Mitchell

Oliver

Peete

Smith (Lee)

—7.

Mr. Mastin called up his motion to take S. 197 from the adverse calendar, and on motion of Mr. Long, of Butler, the motion of Mr. Mastin was laid upon the table.

Mr. Lee, of Barbour, called up his motion to take from the adverse calendar H. 242, and the motion was lost.

MESSAGE FROM THE SENATE.

~~Mr. Speaker:~~

The Senate has originated and passed the following Senate bill:

S. 371. To amend section 4 (section 398) of an act entitled an act to amend sections 382, 383, 384 and 398 of the Code of Alabama.

S. 603. To reimburse the governor's contingent fund the amount expended therefrom in paying the funeral expenses of the late William L. Martin, who at the time of his death was Speaker of the House of Representatives, and to make an appropriation therefor.

And sends same herewith to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were read one time and referred to appropriate standing committees, as follows:

Education, S. 371.

Appropriations, S. 603.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 742. To prohibit the sale of intoxicating liquors of every kind, within three miles of the public school house at Creola, Mobile county, Alabama, and to provide a penalty for the violation of this act.

H. 921. To regulate the fine and forfeiture fund of Escambia county and to better provide for the payment of State witnesses and officers' fees in said county.

And herewith returns the same to the House.

J. A. Kyle, Secretary.

BILLS ON THIRD READING.

S. 541. To appropriate the sum of fifty thousand dollars to defray the expenses incurred in connection with the railroad rate litigation now pending, or which may hereafter be instituted between the various railroads of Alabama and the railroad commission.

Was read a third time, at length, and passed.

Yeas, 63; nays, 8.

Yeas:

Messrs:—

Speaker	Barton	Coleman (Lowndes)
Alford	Benners	Coleman (Marshall)
Altman	Bloch	Cooper
Arrington	Brown	Crum
Ballard (Autauga)	Burney	Doyle (Clark)
Ballard (Pike)	Cannon	Doyle (Marengo)
Baltzell	Carmichael (Clay)	Edwards

Foster	Lee (Barbour)	Rattray
Fuller	Long (Butler)	Rice
Glover	Long (Morgan)	Rushton
Gunter	Mitchell	Sample
Haley	Moore	Sanders
Hughston	McCrory	Seale
John	McMillan	Sherrod
Jones	Pearson	Smith (Elmore)
Killen	Pitts (Dallas)	Smith (Franklin)
King	Pitts (Perry)	Smith (Lee)
Kirby	Powell (Covington)	Steagall
Lacy (Walker)	Pugh	Tunstall
Lancaster	Ragsdale	Woolf
Lawson	Rainer	

—63.

Nays:

Messrs:—

Elrod	Jenkins	Lee (Etowah)
McDuffie	Parker	Pratt
White (Perry)	Williams	

—8.

H. 1359. To provide for refurnishing and in keeping in repair the State capitol and the several offices therein, and to provide for the improvement and keeping in order the State capitol grounds.

Was read a third time, at length, and passed.

Yeas, 60; nays, 2.

Messrs:—

Yeas:

Speaker	Carmichael (Clay)	Henley
Alford	Cooper	Hughston
Altman	Crum	Jenkins
Arnold	Doyle (Clark)	John
Ballard (Autauga)	Dudley	Jones
Baltzell	Edwards	King
Benners	Elrod	Kirby
Bloch	Foster	Lacy (Walker)
Brown	Glover	Lawson
Bulger	Gunter	Lee (Barbour)
Cannon	Haley	Lee (Etowah)

Malone	Pitts (Perry)	Rushton
Mitchell	Powell (Bullock)	Sanders
Moore	Powell (Covington)	Sanford
McCrory	Pratt	Seale
McMillan	Pugh	Sherrod
Oliver	Ragsdale	Smith (Franklin)
Parker	Rainer	Smith (Lee)
Pearson	Ratray	White (Lamar)
Peete	Rowe	Woolf

—60.

Nays:

Messrs:—

Coleman (Lowndes) Weaver

—2.

On motion of Mr. John, the bill, H. 1359, was ordered sent forthwith to the Senate without engrossment.

H. 941. To provide for and regulate the selection, drawing and empaneling of grand and petit juries in all the courts of this State.

Was taken up. On motion of Mr. Foster, the further consideration of the bill was postponed until Monday immediately after the call of standing committees and five hundred copies were ordered printed for the use of the House.

GOVERNOR'S MESSAGE.

On motion of Mr. Smith, of Lee, the House concurred in and adopted the amendment proposed by the governor to the bill H. 960, said governor's amendment being as follows:

Chief Executive Department,
Alabama.

Montgomery, July 25, 1907.

To the House of Representatives:

I herewith return House bill 960, entitled an act to aid and encourage technical education in the State of Alabama and providing for the erection and equipment

of buildings and increased facilities at the Alabama Polytechnic Institute, approved March 2nd, 1907;

And I suggest for the consideration of the Legislature the following amendments thereto, viz.:

1. Amend said bill by omitting from the title thereof the words: "So as to read as follows," where said words occur together in the title.

2. Amend said bill by inserting in section one, immediately after the words: "Be it enacted by the Legislature of Alabama," the following words and figures, viz.: "That section 1 of an act entitled an act to aid and encourage technical education in the State of Alabama and providing for the erection and equipment of buildings and increased facilities at the Alabama Polytechnic Institute, approved March 2nd, 1907, be amended so as to read as follows:

Section 1.

B. B. Comer, Governor.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Power
Alford	Hughston	Pugh
Altman	Jenkins	Ragsdale
Arnold	John	Rainer
Arrington	Jones	Rattray
Ballard (Autauga)	Kirby	Rice
Baltzell	Lacy (Walker)	Rowe
Barton	Lawson	Rushton
Benners	Lee (Barbour)	Sample
Bloch	Lee (Etowah)	Sanders
Brown	Malone	Sanford
Bulger	Mastin	Seale
Burney	Moore	Sherrod
Cannon	McDuffie	Smith (Franklin)
Coleman (Marshall)	McMillan	Smith (Lee)
Cooper	Norville	Steagall
Cranford	Oliver	Thompson
Elrod	Parker	Tunstall
Foster	Pearson	Turner
Fuller	Peete	White (Lamar)
Glover	Pitts (Perry)	Williams

Mr. Williams gave notice that on tomorrow he would move to take from the adverse calendar S. 435.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate non-concurs in the report of the conference committee on the disagreement of the two Houses on the House amendment to:

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

And asks for a further committee of conference. Committee on part of the Senate, Messrs. Strother, Lowe and Gunn.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Gunter, the House acceded to the request of the Senate for a committee of conference on the disagreement of the two Houses on the House amendment to S. 509. Committee on part of House: Messrs. Gunter, Sherrod and Crawford.

BILL ON THIRD READING.

H. 1370. To provide a commission to investigate the charges made against the management of the Insane Hospitals; to prescribe its powers and duties, and to pay the per diem, mileage and expenses thereof.

Was taken up. Mr. John offered the following amendment to the bill:

(7) That all legitimate expenses incurred by the joint committee, including their traveling expense, shall be paid in the same manner as provided in this act.

Mr. Miller offered the following amendment to the amendment:

Amendment to the amendment proposed by the committee by striking out "joint committee" and insert therefor "commission."

On motion of Mr. Rice, the amendment to the amendment was laid upon the table.

Mr. Miller offered the following amendment to the amendment:

H. 1370. Amend section 1 of the bill by striking out the word "legislators."

On motion of Mr. John, the amendment offered by Mr. Mitchell was laid upon the table.

Mr. Lee, of Etowah, offered the following amendment to the amendment:

Amend bill by providing that the members of the commission shall receive \$4.00 per day instead of \$10.00 per day as therein provided.

Mr. Long, of Butler moved to table the amendment offered by Mr. Lee, of Etowah, and the motion to table was lost.

Yeas, 34; nays, 49.

Yeas:

Messrs:—

Speaker	Gunter	Norville
Ballard (Autauga)	Haley	Pitts (Dallas)
Ballard (Pike)	Jenkins	Pitts (Perry)
Benners	John	Rice
Brown	Jones	Sample
Bulger	King	Seale
Burney	Lancaster	Smith (Elmore)
Cooper	Long (Butler)	Smith (Lee)
Dudley	Mastin	Steagall
Edwards	McCrary	Tunstall
Foster	McDuffie	White (Perry)
Goodwyn		

—34.

Nays:

Messrs:—

Baltzell	Bloch	Coleman (Marshall)
Barton	Cannon	Cranford
Benson	Coleman (Lowndes)	Crum

Doyle (Clark)	Mastin	Rattray
Doyle (Marengo)	Mitchell	Rowe
Elrod	Moore	Rushton
Fuller	McMillan	Sanders
Glover	Oliver	Sanford
Henley	Parker	Sherrod
Hoffman	Pearson	Smith (Etowah)
Johnson	Peete	Smith (Franklin)
Killen	Powell (Bullock)	Turner
Kirby	Powell (Covington)	Vann
Lawson	Pratt	Weaver
Lee (Etowah)	Pugh	White (Lamar)
Long (Morgan)	Rainer	Williams
Malone		

—49.

And the amendment offered by Mr. Lee, of Etowah, to the amendment offered by Mr. John was adopted.

Yeas, 49; nays, 36.

Yeas:

Messrs:—

Alford	Killen	Power
Baltzell	Kirby	Pratt
Barton	Lawson	Pugh
Benson	Lee (Barbour)	Rainer
Bloch	Lee (Etowah)	Rattray
Cannon	Lee (Houston)	Rowe
Carmichael (Clay)	Malone	Rushton
Coleman (Marshall)	Mastin	Sanders
Cranford	Mitchell	Sherrod
Crum	Moore	Smith (Etowah)
Doyle (Marengo)	McCrory	Smith (Franklin)
Dudley	McMillan	Turner
Elrod	Oliver	Vann
Fuller	Parker	Weaver
Henley	Pearson	White (Lamar)
Jenkins	Powell (Bullock)	Williams
Johnson		

—49.

Nays:

Messrs:—

Speaker	Foster	Maner
Altman	Glover	Pitts (Dallas)
Ballard (Autauga)	Goodwyn	Pitts (Perry)
Ballard (Pike)	Haley	Rice
Benners	Hoffman	Sample
Brown	Hughston	Seale
Bulger	John	Smith (Elmore)
Burney	Jones	Smith (Lee)
Coleman (Lowndes)	Lacy (Walker)	Steagall
Cooper	Lancaster	Tunstall
Dudley	Long (Butler)	White (Perry)
Edwards	Long (Butler)	Woolf

—36.

EXCUSED FROM VOTING.

Mr. King asked that he be excused from voting. Consent was granted.

And the amendment offered by Mr. John, as amended by the amendment of Mr. Lee, of Etowah, was adopted.

Yeas, 57; nays, 1.

Yeas:

Messrs:—

Speaker	Edwards	McCrory
Alford	Foster	McMillan
Altman	Fuller	Oliver
Ballard (Autauga)	Glover	Parker
Ballard (Pike)	Goodwyn	Peete
Baltzell	Haley	Pitts (Dallas)
Benners	Henley	Powell (Covington)
Bloch	Hughston	Power
Bulger	Jenkins	Pugh
Burney	John	Ragsdale
Carmichael (Clay)	Jones	Rainer
Cooper	Kirby	Rice
Cranford	Lawson	Rowe
Doyle (Clark)	Malone	Sample
Doyle (Marengo)	Mitchell	Sanders
Dudley	Moore	

Seale	Turner	White (Lamar)
Smith (Etowah)	Vann	White (Perry)
Smith (Franklin)	Weaver	Woolf

—57.

Nays:

Mr. Cannon

—1.

Mr. Lancaster offered the following amendment to the bill:

“Amend by making the compensation \$6.00 per day.”

On motion of Mr. Williams, the amendment offered by Mr. Lancaster was laid upon the table.

Mr. Sample offered the following amendment to the bill:

Amend by striking out the words “five cents” in line one in section five and insert in lieu thereof the words “ten cents.”

And the amendment was adopted.

Yeas, 71; nays, 4.

Yeas:

Messrs:—

Speaker	Elrod	Malone
Alford	Foster	Maner
Altman	Fuller	Mastin
Armstrong	Glove	Mitchell
Ballard (Autauga)	Goodwyn	Moore
Ballard (Pike)	Gunter	McCrory
Baltzell	Haley	McDuffie
Barton	Henley	McMillan
Benners	Hoffman	Parker
Bloch	Hughston	Feete
Brown	John	Pitts (Dallas)
Bulger	Jones	Pitts (Perry)
Burney	King	Powell (Bullock)
Cannon	Kirby	Powell (Covington)
Coleman (Lowndes)	Lacy (Walker)	Pratt
Cranford	Lawson	Pugh
Crum	Lee (Barbour)	Ragsdale
Doyle (Clark)	Long (Butler)	Rainer
Doyle (Marengo)	Long (Morgan)	Rattray

Rice	Sanford	Smith (Lee)
Rowe	Seale	White (Lamar)
Rushton	Sherrod	White (Perry)
Sample	Smith (Franklin)	Williams
Sanders		

—71.

Nays:

Messrs:—

Carmichael (Clay)	Cooper	Edwards
Vann		

—4.

And the bill:

H. 1370. To provide a commission to investigate the charges made against the management of the Insane Hospitals; to prescribe its powers and duties, and to pay the per diem, mileage and expenses thereof.

As amended, was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	McDuffie
Alford	Haley	McMillan
Altman	Hoffman	Parker
Arnold	John	Peete
Avery	Johnson	Pitts (Dallas)
Ballard (Autauga)	Jones	Pitts (Perry)
Ballard (Pike)	King	Powell (Covington)
Barton	Kirby	Power
Benners	Lancaster	Sample
Bloch	Lee (Barbour)	Smith (Franklin)
Brown	Lee (Houston)	Smith (Lee)
Burney	Long (Morgan)	Tunstall
Coleman (Lowndes)	Lovelady	Vann
Cooper	Lyons	Weaver
Cranford	Malone	White (Lamar)
Doyle (Clark)	Maner	Williams
Doyle (Marengo)	Mastin	Woolf
Dudley	Mitchell	
Fuller	Moore	

—57.

REPORT OF CONFERENCE COMMITTEE.

To the Senate and House of Representatives:

Your committee of conference on amendments to S. 509, beg leave to report and recommend that the House of Representatives recede from the amendment offered to section 2, and in lieu thereof insert the words "and qualified," in line 3, section 2, after the word "elected," and after the word "act" in said line insert the words "and before the first day of January, 1908," and that the House of Representatives recede from the amendment offered to section 17, and substitute therefor the following: "But there shall be no recorder in towns," to be added at the end of the section.

We recommend that the House of Representatives recede from the amendment known as section 201 of said bill, and in lieu thereof insert the following:

Section 201. That no mayor or aldermen of any municipality shall accept employment after his election, and during his term of office, from any public service company or corporation operating under any franchise granted by the municipality, and any person accepting such employment, after his election, thereby vacates his office.

We, the said committee recommend that the other amendment be concurred in.

Gaston Gunter,
J. N. Cranford,
C. M. Sherrod,
Committee on part of the House.
James W. Strother,
W. T. Lowe,
Norman Gunn,
Committee on part of the Senate."

On motion of Mr. Gunter, the House concurred in and adopted the report of the conference committee on the disagreement of the two Houses on House amendment to the bill S. 509.

Yeas, 52; nays, 3.

Yeas:

Messrs:—

Speaker	Goodwyn	Parker
Alford	Gunter	Peete
Altman	Haley	Pitts (Dallas)
Arnold	Hoffman	Pitts (Perry)
Baltzell	Jenkins	Pratt
Benners	Johnson	Pugh
Bloch	Jones	Ragsdale
Bulger	Kirby	Rainer
Burney	Lacy (Walker)	Rice
Carmichael (Clay)	Lancaster	Rushton
Cooper	Lawson	Sample
Crum	Lee (Barbour)	Sanford
Doyle (Marengo)	Lee (Etowah)	Sherrod
Dudley	Malone	Turner
Edwards	Maner	Vann
Elrod	Moore	Weaver
Foster	Oliver	Woolf
Fuller		

—52.

Nays:

Messrs:—

Cannon	John	Mitchell
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—3.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills beg leave to report that it has examined and found correctly engrossed the following bills:

H. 1271. To amend an act entitled "An act to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers, their powers, duties and compensation; to fix the terms of said court; and to prescribe rules and procedure for said court." approved Feb. 25, 1907, by amending sections 6 and 7 of said act, and by adding section 37, providing that the judge of the said Morgan county law and equity court be authorized and empowered to direct the sheriff of Morgan county to appoint a sufficient

number of deputies to serve the process of this court and perform other necessary and proper duties and to provide for the compensation of the sheriff, deputies and janitors for said court; and by adding section 38, providing for the trial of all causes removed to the Morgan county law and equity court from any other court in Morgan county, and by adding section 39, providing that a session of said court may be held at any time and for such purpose as the judge of said court may determine, and for which petit and grand jurors may be summoned and empaneled; and by adding section 40, providing for rendering final judgment upon forfeited bonds; and by adding section 41, providing for the investigation of charges against any defendant in the county court of Morgan county, Ala., by the grand jury of the Morgan county law and equity court.

H. 949. To create a text book commission and to procure for use in the public schools in this State a uniform series of text books; to define the duties and powers of said commission and to make an appropriation for carrying into effect this act, and to provide punishment and penalties for the violation of same.

H. 1238. To regulate dispensaries now operated or which may be operated by municipalities in the county of Geneva, to prescribe and fix a license on each dispensary in addition to that already imposed under the general law; to provide for the payment of such license fee to the judge of probate of Geneva county, and to give the court of county commissioners power to disburse the fund created by such license, at its discretion, either in building, repairing or furnishing school houses and buildings exclusively for rural districts of Geneva county, or for repairing the public roads of Geneva county, or for supplementing pensions to pensioners of the first class, or for all said purposes, and to provide a penalty for the failure to pay such license.

H. 854. To prohibit the sale, barter or exchange, giving away, lending, delivering, or otherwise disposing of any spirituous, vinous, or malt liquors, intoxicating beverages, bitters, beers, "hop jack," or intoxicating proprietary medicine of any kind, except upon the written

prescription of a practicing physician, within one and a half miles of "Bethel" Methodist Episcopal Church, South, situated at Dolcito, in precinct (11) eleven, Jefferson county, Alabama.

H. 1222. To create a police commission for the city of Huntsville and to define its jurisdiction and powers.

H. 1356. For the relief of John Milford, an ex-confederate soldier.

H. 1201. To regulate and prescribe the manner of electing county commissioners in the county of Walker, fix their compensation and provide for holding regular, special and adjourned terms of the court of county commissioners.

H. 1321. To repeal sections 4, 5, 6, and 8 of an act entitled an act to "better provide for working the public roads in the counties of Baldwin, Escambia, and Monroe, approved February 9th, 1901, in so far as the same applies to the county of Monroe and to amend sections twelve of said act and further regulate the working of the public roads in Monroe county.

H. 869. To authorize the town of Enterprise, in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

H. 1362. To establish a dispensary in and for the town of "Floralda" and in the county of Covington, State of Alabama, and to provide for the conduct and regulation of the same.

~~H. 925. To provide for and regulate the working of~~
the public roads in Tallapoosa county, Alabama, and to punish defaulters who fail or refuse to work said roads.

Ernest Lacy, Chairman.

The report of the committee was concurred in.

MESSAGE FROM THE HOUSE.

Mr. Speaker:

The Senate has amended, as therein shown, and as amended has passed House bill:

H. 1077. To allow all foreign corporations liable to annual franchise tax to deduct from their actual capital employed, or to be employed, in this State that part

of such capital consisting of money loaned secured by recorded mortgages on real estate situated in this State.

And has concurred in the House amendment to:

S. 420. To further regulate the working of the public roads of Bibb county, Alabama.

And returns same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. King, the House concurred in the Senate amendment to the bill, H. 1077, said Senate amendment being as follows:

A BILL

To be entitled an act to fix a basis for the ascertainment of the annual franchise tax on foreign corporations.

Section 1. Be it enacted by the Legislature of Alabama, That in ascertaining the amount of the annual franchise tax which shall be paid by any foreign corporation doing business in this State, as required by an act entitled "An act to provide for the revenue of the State, by requiring all foreign corporations authorized to do business in this State under the laws of the State of Alabama, to pay an annual franchise tax," approved March 7th, 1907, there shall be deducted from the amount of the capital employed by such corporation in this State, the aggregate amount of loans of money made by such corporations in this State and which shall be secured by existing mortgage or mortgages to it on real estate in this State, and upon which mortgages there shall have been paid the recording privilege tax provided by law.

Yeas, 73; nays, 0.

Yeas:

Messrs:—

Speaker	Avery	Barton
Alford	Ballard (Autauga)	Benners
Altman	Ballard (Pike)	Bloch
Arnold	Baltzell	Bulger

Burney	Kirby	Powell (Covington)
Cannon	Lacy (Walker)	Power
Carmichael (Clay)	Lancaster	Pratt
Coleman (Marshall)	Lawson	Pugh
Cooper	Lee (Barbour)	Ragsdale
Crum	Long (Butler)	Rainer
Doyle (Marengo)	Malone	Rattray
Edwards	Mastin	Rice
Elrod	Mitchell	Rowe
Foster	Moore	Sample
Fuller	McDuffie	Sanders
Glover	McCrary	Sherrod
Haley	McMillan	Smith (Elmore)
Henley	Norville	Smith (Franklin)
Hoffman	Parker	Smith (Lee)
Hughston	Pearson	Vann
Jenkins	Peete	White (Lamar)
John	Pitts (Dallas)	White (Perry)
Johnson	Pitts (Perry)	Williams
Jones	Powell (Bullock)	Woolf
King		

—73.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following bill:

S. 347. To establish and maintain a State sanitorium ~~for consumption and tuberculosis~~, and to provide for disseminating information upon the nature, treatment and cure of tubercular diseases, and to make appropriations therefor.

And orders same sent forthwith to the House without engrossment.

And has passed the following House bills:

H. 1130. To encourage the manufacture of calcium cyanamid (lime nitrogen) in this State, by exemptions from taxation for a period of ten years.

H. 1129. To encourage the development of the various unused water powers in this State, by exemption from taxation for a period of ten years.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bill, S. 347, the title to which it set out in the above and foregoing message from the Senate, was read one time and referred to an appropriate standing committee as follows:

Public Health, S. 347.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bill:

S. 481. To provide for the contingent expenses of the attorney-general.

And orders same sent forthwith to the House without engrossment.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to an appropriate standing committee, as follows:

Appropriations, S. 481.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the H. J. R. No. 253, relating to the birds of Alabama.

And the resolution was lost.

BILL ON THIRD READING.

H. 1085. To amend an act to establish a State live stock sanitary board and the office of State veterinarian in order to further protect live stock from contagious and infectious diseases and provide for eradication.

ing and excluding such diseases from Alabama, approved March 12th, 1907.

Was taken up. Mr. Jenkins offered the following substitute for the bill:

A BILL

To be entitled an act to amend an act to establish a State live stock sanitary board and the office of State veterinarian in order to further protect live stock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama, approved March 12th, 1907.

Section 1. Be it enacted by the Legislature of Alabama, That to an act "to establish a State live stock sanitary board, and the office of State veterinarian in order to further protect live stock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama," approved March 12th, 1907, there shall be added section 16, to read as follows: Section 16. That none of the provisions of this act shall apply to or be put in force in a county where the majority of its area is not under a stock law, or a law prohibiting cattle from running at large.

And the substitute was adopted.

Yeas, 45; nays, 18.

Yeas:

Messrs. —

Speaker	Crum	Lee (Houston)
Alford	Edwards	Malone
Ballard (Autauga)	Foster	Mastin
Barton	Goodwyn	Moore
Benners	Gunter	McCrory
Benson	Haley	Norville
Bloch	Henley	Parker
Burney	Hoffman	Pearson
Carmichael (Clay)	Hughston	Pitts' (Dallas)
Coleman (Lowndes)	Johnson	Powell (Covington)
Cooper	Jones	Pratt
Cranford	Lacy (Walker)	Pugh

Rainer	Sanders	Smith (Franklin)
Rice	Sanford	Tunstall
Sample	Smith (Etowah)	White (Perry)

—45.

Nays:**Messrs:—**

Altman	Long (Morgan)	Seale
Ballard (Pike)	McDuffie	Smith (Lee)
Doyle (Clark)	McMillan	Turner
John	Power	Vann
Lancaster	Ragsdale	Weaver
Long (Butler)	Rowe	Woolf

—18.

And the bill:

H. 1085. To amend an act to establish a State live stock sanitary board and the office of State veterinarian in order to further protect live stock from contagious and infectious diseases and provide for eradicating and excluding such disease from Alabama, approved March 12th, 1907.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 47; nays, 18.

Yeas:**Messrs:—**

Speaker	Dudley	McCrary
Alford	Edwards	Norville
Altman	Elrod	Parker
Ballard (Autauga)	Goodwyn	Pearson
Ballard (Pike)	Gunter	Pitts (Perry)
Barton	Haley	Pratt
Benners	Henley	Pugh
Benson	Hughston	Rainer
Bloch	Jenkins	Rice
Brown	Jones	Rushton
Burner	Killen	Sanders
Carmichael (Clay)	Lacy (Walker)	Smith (Etowah)
Coleman (Lowndes)	Lee (Houston)	Smith (Franklin)
Coleman (Marshall)	Malone	Tunstall
Cooper	Mastin	White (Perry)
Cranford	Moore	

—47.

Nays:

Messrs:—

Crum
Fuller
John
Lancaster
McDuffie
McMillan

Pitts (Dallas)
Power
Ragsdale
Rattray
Rowe
Seale

Sherrod
Smith (Lee)
Turner
Vann
White (Lamar)
Woolf

—18.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following joint resolution:

S. J. R. 86. Resolved by the Senate, the House concurring, that when the Legislature adjourns for today it be to meet on Monday next, July 29.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The S. J. R. No. 86 was read one time and referred to the committee on Rules.

H. 674. To regulate the practice of medicine in the State of Alabama.

Was taken up. On motion of Mr. Pitts, of Dallas, the ~~further consideration of the bill was postponed until~~ Monday morning and that it be taken up immediately after the call of standing committees.

ADJOURNMENT.

The hour of one o'clock having arrived, the House adjourned until 3 p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Yeas:

Messrs:—

Speaker	Goodwyn	Pearson
Alford	Gunter	Peete
Altman	Haley	Pitts (Dallas)
Arnold	Henley	Pitts (Perry)
Avery	Hoffman	Powell (Bullock)
Ballard (Autauga)	Hughston	Pratt
Ballard (Pike)	Jenkins	Pugh
Baltzell	John	Ragsdale
Barton	Johnson	Rainer
Benners	Jones	Rattray
Benson	Killen	Rice
Bloch	Kirby	Rowe
Brown	Lacy (Walker)	Rushton
Bulger	Lancaster	Sample
Burney	Lawson	Sanders
Cannon	Lee (Barbour)	Sanford
Carmichael (Clay)	Lee (Etowah)	Seale
Coleman (Lowndes)	Lee (Houston)	Sherrod
Coleman (Marshall)	Long (Butler)	Smith (Elmore)
Cooper	Long (Morgan)	Smith (Etowah)
Cranford	Malone	Smith (Franklin)
Crum	Middleton	Thompson
Doyle (Clark)	Mitchell	Tunstall
Doyle (Marengo)	Moore	Turner
Dudley	McCrary	Vann
Edwards	McDuffie	Weaver
Elrod	McMillan	White (Lamar)
Foster	Norville	White (Perry)
Fuller	Oliver	Williams
Glover	Parker	Woolf

—90.

A quorum was present.

PRIVILEGES OF THE FLOOR.

Were extended to Hon. C. W. Hickman, of Birmingham, for this afternoon.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has concurred in the House J. R. 306, recalling from the governor H. 935, same being an act entitled an act to establish the city court of Bessemer.

J. A. Kyle,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has originated and passed the following Senate bills:

S. 384. To provide for the establishment of high schools in this State, and to make appropriations for said schools.

S. 273. To make it an offense for any depot agent, or person having control of any passenger depot with a telegraph office, to neglect or fail to keep displayed in the waiting room a bulletin board, showing when any delayed passenger train will arrive at such depot, and to prescribe the punishment therefor.

And ordres same sent forthwith to the House without engrossment.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message, were read one time and referred to appropriate standing committees, as follows:

Education, S. 384.

Commerce & Common Carriers, S. 273.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills:

S. 396. To repeal an act approved December 13, 1900, entitled an act to establish, maintain and regulate a dispensary in the town of Roanoke, Randolph county, Alabama, for the sale of spirituous, vinous or malt liquors, ciders and other intoxicants and to establish a board of commissioners for the management of said dispensary and for other purposes.

S. 400. To repeal an act approved February 13th, 1897, entitled an act to regulate the sale of spirituous, vinous or malt liquors in the corporate limits of the town of Roanoke, Randolph county, Alabama.

S. 414. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within the territory now embraced in the election precinct No. nine (9) in Covington county, Alabama, except within the present corporate limits of the town of Florala and to provide punishment for violation of this act.

S. 449. To pass a law to require the governor to send a State examiner of public accounts or some other expert accountant to audit and examine into the accounts and operations of all incorporated towns and cities in Dallas county, Alabama, operating public utilities.

S. 474. To fix and provide for the salary of the chancellor of the Southwestern chancery division of the State of Alabama.

S. 475. To fix and provide for the salary of the judge of the Thirteenth judicial circuit of Alabama.

S. 484. To fix the time of holding the circuit courts in the counties of Walker and Winston, composing the Fourteenth judicial circuit of the State of Alabama.

S. 504. To fix the time of holding the circuit court in the county of Limestone in the Eighth judicial circuit of Alabama.

S. 525. To prohibit the barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages

or drinks within three miles of the Sister Springs church, in Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit court of Dallas county and Lowndes county.

S. 543. To ratify, confirm and legalize the orders, acts and proceedings of the commissioners' court of Choctaw county in issuing to the contractors for building the county court house, three principal warrants and six subsidiary warrants representing a legal rate of interest from January 1st, 1907, on said three principal warrants in settlement of the cost of constructing county court houses and to authorize the payment of said warrants.

S. 467. Prescribing rules of practice and procedure in the circuit court of Montgomery county and to define the powers of the judge of said court in reference thereto.

You signature thereto is requested.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker of the House, in the persence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Senate message.

BILLS ON THIRD READING.

H. 714. To make it unlawful to practice as an attorney at law without having obtained a license therefor.

Was read a third time, at length, and passed.

Yeas, 45; nays, 10.

Yeas:

Messrs:—

Speaker	Ballard (Pike)	Carmichael (Clay)
Altman	Renner	Coleman (Marshall)
Arnold	Bloch	Cooper
Ballard (Autauga)	Burney	Cranford

Crum	Lacy (Walker)	Rainer
Doyle (Clark)	Lee (Etowah)	Rice
Fuller	Malone	Rowe
Glover	Moore	Rushton
Goodwyn	McCrory	Sherrod
Haley	McMillan	Smith (Lee)
Henley	Parker	Tunstall
Hughston	Peete	Vann
Jenkins	Pitts (Perry)	Weaver
John	Power	White (Lamar)
Jones	Pratt	Woolf

—45.

Nays:**Messrs:—**

Barton	Cannon	Elrod
Killen	Kirby	Lancaster
Rattray	Smith (Elmore)	Smith (Etowah)
Turner		

—10.

On motion of Mr. Ballard, of Autauga, the bill, H. 714, was ordered sent to the Senate without engrossment.

H. 93. To better provide for the arrest of persons committing homicide, rape, arson and robbery, by giving a reward therefor.

Was taken up. On motion of Mr. Rice, the bill, H. 93, was laid upon the table.

H. 609. To amend sections 6 and 19 of an act entitled an act to amend an act entitled an act to establish a uniform system for the exaimation and licensing of teachers of public schools, approved February 8th, 1901.

Was taken up. The question was upon the adoption of the substitute offered by the standing committee on Education, said substitute being as follows:

Substitute for H. B. 609:

A BILL

To be entitled an act to amend sections 6 and 19 of an act entitled an act to amend an act entitled an act to establish a uniform system for the examination

and licensing of teachers of public schools, approved February 8th, 1901.

Section 1. Be it enacted by the Legislature of Alabama, That section 6 and 19 of an act entitled an act to amend an act entitled an act to establish a uniform system for the examination and licensing of public schools, approved February 8, 1901, be amended so as to read as follows:

Section 6. Be it further enacted, That each applicant for examination before entering upon examination, deposit with the person appointed to conduct the examination, an examination fee as follows: An applicant for a third grade certificate, a fee of one dollar; an applicant for a second grade certificate, a fee of one and one-half dollars; an applicant for a first grade certificate, a fee of two dollars; an applicant for a life certificate, a fee of three dollars. All fees received from examination of teachers at regular and special examinations shall be paid into the State treasury, to the credit of the educational fund, and the State auditor shall on requisition of the superintendent of education issue warrants on the State treasurer to be paid out of the educational fund for the purpose of carrying out the provisions of this act, such as the payment of expenses for postage, for expressage, for clerk hire for the State board of examiners only for the salaries of the State board of examiners, for paying county conductors and other incidental expenses incurred in carrying out the provisions of this act. The appointment member of the State board who shall be appointed to act as secretary of the board, shall receive a salary of eighteen hundred dollars per annum, and the other appointed member of said board shall receive a salary of twelve hundred dollars a year. The county superintendent or person appointed to conduct the examination in each county shall receive ten dollars for his services in conducting said examination. Provided that as the available educational fund was apportioned October 1st, 1900, an amount equal to the balance after deducting expenses received from the examination fees since March 1st, 1899, shall be immediately

available from the educational fund for the purpose of paying the exepnses provided for in this act.

Section 19. That the secretary of the State board of examiners is hereby required to keep a register of all teachers examined or licensed under this act, showing the name and post office address of each person examined, the date of his examination, the grade for which he was examined, the fee paid by such person examined, and also the grade of his certificate, if such is issued, and shall keep the same on file in the office of the State superintendent of education; and he shall devote his time when not engaged in the work of examining teachers to clerical work in the department of education.

And the substitute was adopted.

Yeas, 64; nays, 1.

Yeas:

Messrs:—

Speaker	Glover	Powell (Bullock)
Alford	Goodwyn	Power
Altman	Haley	Price
Armstrong	Henley	Pugh
Baltzell	Hughston	Ragsdale
Barton	John	Rainer
Benners	Jones	Rice
Bloch	Killen	Rowe
Brown	Kirby	Rushton
Bulger	Lacy (Walker)	Sanders
Burney	Lancaster	Sanford
Cannon	Lawson	Sherrod
Carmichael (Clay)	Lee (Houston)	Smith (Franklin)
Coleman (Marshall)	Malone	Smith (Lee)
Cranford	Maner	Steagall
Crum	Mitchell	Tunstall
Doyle (Clark)	Moore	Turner
Doyle (Marengo)	McMillan	Vann
Edwards	Parker	Weaver
Elrod	Pearson	White (Lamar)
Foster	Peete	Williams
Fuller		

—64.

Nays:

Mr. Benson

—1.

And the bill:

H. 609. To amend sections 6 and 19 of an act entitled an act to amend an act entitled an act to establish a uniform system for the examination and licensing of teachers of public schools, approved February 8th, 1901.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 55; nays, 3.

Yeas:

Messrs:—

Speaker	Glover	Parker
Alford	Goodwyn	Pearson
Altman	Henley	Peete
Arrington	Hughston	Powell (Bullock)
Ballard (Autauga)	John	Pugh
Ballard (Pike)	Johnson	Ragsdale
Baltzell	Jones	Rainer
Barton	Killen	Rattray
Benness	King	Rice
Bloch	Kirby	Rowe
Brown	Lacy (Walker)	Sanders
Bulger	Lawson	Sanford
Burney	Lee (Etowah)	Smith (Lee)
Cannon	Lee (Houston)	Turner
Coleman (Marshall)	Maner	Vann
Cranford	Mitchell	White (Lamar)
Crum	Moore	White (Ferry)
Doyle (Clark)	McMillan	Woolf
Edwards		

—55.

Nays:

Messrs:—

Benson	Coleman (Lowndes)	Fuller
--------	-------------------	--------

—3.

On motion of Mr. Lacy, of Walker, the bill, H. 609, was ordered sent forthwith to the Senate without engrossment.

H. 1303. To amend sub-division of section 1377 of the civil Code, relating to compensation of sheriffs for ex-officio services.

Was taken up. Mr. John offered the following amendment to the bill:

Amend by adding to section 1 these words:

Provided that any sheriff whose annual income from fees of office exceeds ten thousand dollars shall not have any ex-officio allowance.

And the amendment was adopted.

Yeas, 58; nays, 2.

Yeas:

Messrs:—

Speaker	Foster	Pearson
Alford	Fuller	Peete
Altman	Haley	Pitts (Dallas)
Ballard (Autauga)	Henley	Pitts (Perry)
Ballard (Pike)	Hoffman	Pratt
Baltzell	Jenkins	Pugh
Barton	John	Ragsdale
Benners	Johnson	Rowe
Benson	Jones	Sample
Brown	Lawson	Sanders
Bulger	Lee (Barbour)	Sanford
Burney	Lee (Houston)	Sherrod
Cannon	Long (Butler)	Smith (Franklin)
Carmichael (Clay)	Malone	Smith (Lee)
Coleman (Lowndes)	Maner	Turner
Coleman (Marshall)	Mitchell	Vann
Doyle (Clark)	Moore	Weaver
Doyle (Marengo)	McCrary	White (Lamar)
Edwards	McMillan	Woolf
Elrod		

—58.

Nays:

Messrs:—

Parker Goodwyn

—2.

And the bill:

H. 1303. To amend sub-division of section 1377 of the civil Code, relating to compensation of sheriffs for ex-officio services.

As amended, was read a third time, at length, and passed.

Yeas, 59; nays, 7.

Messrs:—

Yeas:

Speaker	Goodwyn	Powell (Bullock)
Alford	Henley	Pratt
Arrington	Hughston	Pugh
Ballard (Autauga)	John	Rice
Ballard (Pike)	Johnson	Rowe
Baltzell	Jones	Sample
Barton	Kirby	Sanders
Benners	Lacy (Walker)	Sanford
Benson	Lawson	Seale
Bloch	Lee (Barbour)	Sherrod
Brown	Malone	Smith (Franklin)
Burney	Mitchell	Smith (Lee)
Carmichael (Clay)	Moore	Tunstall
Coleman (Lowndes)	McCrary	Turner
Cranford	McMillan	Vann
Crum	Parker	Weaver
Doyle (Clark)	Pearson	White (Lamar)
Doyle (Marengo)	Peete	White (Perry)
Elrod	Pitts (Dallas)	Woolf
Foster	Pitts (Perry)	

—59.

Nays:

Messrs:—

Altman	Cannon	Fuller
Jenkins	Killen	King
Ragsdale		

On motion of Mr. Bayles, the bill, H. 1303, was ordered sent forthwith to the Senate without engrossment.

H. 1339. To exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure or own exclusively the patent right, on any article designed for the purpose of protecting human life and property, and which has not heretofore been manufactured for sale except such property as is devoted exclusively to the

manufacture of such article, and to exempt from taxation the stock held by stockholders of such corporation.

Was read a third time, at length, and passed.

Yeas, 60; nays, 1.

Yeas:

Messrs:—

Alford	Fuller	Pitts (Dallas)
Altman	Glover	Powell (Bullock)
Arrington	Goodwyn	Pratt
Ballard (Autauga)	Gunter	Pugh
Ballard (Pike)	Haley	Rattray
Baltzell	John	Rowe
Barton	Jones	Rushton
Benners	Kirby	Sample
Benson	Lacy (Walker)	Sanders
Bloch	Lawson	Sanford
Brown	Lee (Etowah)	Seale
Bulger	Long (Butler)	Sherrod
Burney	Malone	Smith (Elmore)
Cannon	Maner	Smith (Franklin)
Carmichael (Clay)	Mastin	Smith (Lee)
Coleman (Lowndes)	Mitchell	Tunstall
Crum	McCrory	Vann
Doyle (Clark)	McMillan	White (Lamar)
Doyle (Marengo)	Pearson	White (Perry)
Foster	Peete	Woolf

—60.

Nays:

Mr. Turner

—1.

On motion of Mr. Maner, the bill, H. 1339, was ordered sent to the Senate without engrossment.

H. 1209. To give to certified transcripts of validly executed instruments not properly acknowledged or proved, but that have been of record for twenty years, the same force and effect as transcripts of like instruments duly acknowledged and recorded.

Was read a third time, at length, and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Armstrong
Arrington
Ballard (Autauga)
Barton
Benners
Benson
Bloch
Brown
Bulger
Burney
Cannon
Carmichael (Clay)
Coleman (Lowndes)
Cranford
Crum
Doyle (Clark)
Doyle (Marengo)
Foster
Fuller
Glover

Goodwyn
Gunter
Haley
Henley
Hughston
Jenkins
John
Johnson
Jones
Lacy (Walker)
Lancaster
Lawson
Lee (Barbour)
Lee (Houston)
Maner
Mastin
Mitchell
Moore
McCrory

McMillan
Parker
Pearson
Peete
Pitts (Dallas)
Powell (Bullock)
Pratt
Pugh
Rainer
Rice
Rowe
Rushton
Sanders
Seale
Smith (Elmore)
Smith (Franklin)
Smith (Lee)
Tunstall
Turner

—58.

On motion of Mr. Tunstall, the bill, H. 1209, was ordered sent to the Senate without engrossment.

H. 1323. To appropriate fifteen hundred dollars for the purpose of furnishing and equipping the office of ~~mine inspectors of this State with necessary and suitable furniture, apparatus, machines and all other necessary instruments.~~

Was read a third time, at length, and passed.

Yeas, 56; nays, 1.

Yeas:

Messrs:—

Alford
Altman
Armstrong
Arrington
Barton
Benners
Benson

Bloch
Brown
Burney
Carmichael (Clay)
Doyle (Marengo)
Foster
Glover

Goodwyn
Haley
Henley
Hoffman
Hughston
Jenkins

John	Pearson	Sample
Johnson	Feete	Sanders
Jones	Pitts (Dallas)	Sanford
Lacy (Walker)	Pitts (Perry)	Seale
Malone	Powell (Bullock)	Sherrod
Maner	Pratt	Smith (Franklin)
Mastin	Pugh	Smith (Lee)
Mitchell	Rainer	Turner
Moore	Ratray	Vann
McCrory	Rice	White (Lamar)
McMillan	Rowe	White (Perry)
Parker	Rushton	

—56.

Nays:

Mr. Elrod

—1.

On motion of Mr. Hoffman the bill, H. 1323, was ordered sent to the Senate without engrossment.

MESSAGE FROM THE GOVERNOR.

Montgomery, July 26, 1907.

To the House of Representatives:

In accordance with the request of the Legislature, I herewith return House bill No. 935 entitled an act to amend section 22 of an act entitled an act to establish the city court of Bessemer.

B. B. Comer, Governor.

RESOLUTIONS.

The following resolutions were introduced:

By Mr. Pitts, of Perry:

H. R. 310. Resolved, that from and after this date the night session shall be governed by the following order of business:

1. The time intervening between the call of the roll of members and ten o'clock p. m. shall be devoted to the passage of local bills on the regular call of counties.

2. From ten p. m. to the adjournment of the night session shall be devoted to the passage of general bills on a like call of counties.

3. The House may stay in session till twelve o'clock at night.

Rules.

By Mr. Glover:

H. J. R. 311. Resolved by the House, the Senate concurring, that the Sepaker of the House and the President of the Senate be and they are hereby requested in the presence of the House and Senate respectively to erase their respective signatures from H. B. 935, entitled an act to amend section 22 of an act entitled an act to establish the city court of Bessemer, to the end that said bill may be correctly enrolled.

On motion of Mr. Glover, the rules were suspended and the resolution adopted.

By Mr. Foster:

H. R. 312. Resolved, that beginning next Monday the House meet at two o'clock in the afternoon instead of three o'clock.

On motion of Mr. Foster, the rules were suspended and the resolution adopted.

By Mr. John:

H. J. R. 313. Resolved by the Legislature of Alabama, that the secretary of State is hereby instructed to select and preserve twenty-five sets of the Code of 1896, for the permanent use of the State, and that he be authorized to sell all other Codes of 1896 at fifty cents a volume.

Rules.

By Mr. Goodwyn:

H. R. 314. Resolved, that at the night session after one call of counties for local bills the roll shall be called for general bills as in the afternoon session.

Rules.

By Mr. Lee, of Etowah:

H. J. R. 315. Resolved by the Legislature of Alabama, that the secretary of State is hereby authorized and empowered to distribute to every member of the

constitutionanl convention of 1901 one set of the sale edition of the Code of 1907.

On motion of Mr. Lee, of Etowah, the rules were suspended and the resolution adopted.

By Mr. Goodwyn:

H. J. R. 316. Be it resolved by the House of Representatives, the Senate concurring, that upon the approval of the municipal code bill by the governor that the secretary of State be and he is hereby directed to have two thousand copies of the bill printed for free disposition to the members of the Legislature and the several cities and towns of the State; that each member of the House and Senate be allowed five copies.

On motion of Mr. Goodwyn, the rules were suspended and the resolution adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in:

H. J. R. 311. Relative to the erasure of the signatures to H. 935, To amend section 22 of an act entitled an act to establish the city court of Bessemer.

J. A. Kyle,
Secretary.

ERASURE OF SIGNATURES.

The Speaker of the House in the presence of the House, under joint resolution heretofore adopted, erased his signature from the bill, H. 935.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following bill:

S. 542. To provide for the construction, repairing, working and maintaining the public roads and bridges in Madison county.

And sends the same to the Senate, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
Madison County. }

Before me, Rachel Tomlinson, notary public in and for said county and State, this day personally appeared R. L. O'Neal, who, being duly sworn, deposes and says that the following notice of intention to apply for a local law, to-wit:

NOTICE.

Notice is hereby given, as required by section 106 of the Constitution of the State of Alabama, that application will be made to the Legislature of Alabama at its session beginning January 8, 1907, for the passage of substantially the following bill:

A BILL

To be entitled an act to provide for the construction, repairing, working and maintaining the public roads and bridges in Madison county:

Be it enacted by the Legislature of Alabama:

Section 1. The probate judge of Madison county shall, ~~as soon as practicable after the approval of this act, and every two years thereafter, except as hereinafter~~ provided, appoint a supervisor of public roads for said county, whose term of office shall be two years; provided, however, that the supervisor first appointed after the approval of this act, shall hold office only until the first day of January, 1909, at which time his successor shall be appointed for a full term of two years, and every two years thereafter a supervisor shall be appointed. Such supervisor is subject to removal by said judge for drunkenness, incompetency, neglect of duty, or for any other cause to be determined by said judge. Such supervisor may make the bond required of him in section 2 of this act, in a solvent guaranty company to be approved by such judge.

Section 2. That such supervisor shall before entering upon the duties of his office, qualify by taking and filing the statutory oath of office and giving bond conditioned for the faithful performance of the duties of such office, payable to Madison county, in such sum as may be prescribed by said court, not less than one thousand dollars, with sureties thereon to be approved by the probate judge of said county, which oath and bond shall be recorded as other official bonds required to be recorded, in the office of the judge of probate.

Section 3. That the supervisor of public roads shall receive a salary for each year's service, to be determined by the judge of probate before he enters upon the duties of his office to be paid to him in monthly installments, at the end of each month, by warrant to be drawn by the judge of probate on the road fund of the county.

Section 4. That said supervisor shall have control and supervision of all the public roads of said county as to the manner of working, repairing and maintaining the same, as to changes of old roads and establishing of new roads when ordered established by the commissioners' court, and of the execution of any contract that may be made for the working and repairing roads, or of repairing and building bridges, culverts. or causeways; provided, that at all times the said supervisor shall be under the direction and control of the commissioners' court of said county.

Section 5. That the supervisor shall have authority, and it shall be his duty, immediately after entering upon the duties of his office, to appoint a competent person in each precinct of the county as enumerator of road hands for such precinct, which said enumerator shall make oath in writing that he will faithfully discharge the duties of said office, which said oath may be administered by said supervisor, and when so taken shall be filed in the office of the judge of probate of said county, and there preserved for public examination.

Section 6. That as soon as the enumerator and list of road hands hereinafter provided for shall have been made and filed in the office of the judge of probate, it

shall be the duty of such supervisor to divide the public roads of each precinct into sections of such length, as he may determine, numbering consecutively the said sections, and he shall then appoint such overseers as he may deem necessary, for a term of two years, for the efficient and proper working and maintaining of the roads in such precinct, and assign such section or sections to each overseer as he may determine, and to each overseer he shall apportion such road hands for each section as to the amount and character of work to be done on such section may, in his judgment, be necessary, and he shall deliver a list of such road hands to such overseer and keep a duplicate list for filing in the office of said supervisor, and to there be for ready reference.

Section 7. That it shall be the duty of said supervisor to cause each overseer to take and subscribe in writing an oath that he will faithfully perform the duties of overseer, which oath may be administered by said supervisor, and shall be filed in the office of the judge of probate. To each overseer so appointed the said supervisor shall deliver a commission setting forth the section or sections over which he has been appointed, together with the grade of the road or roads of each section; provided, that when a vacancy occurs in the office of overseer, from whatever cause, the same shall be filled by said supervisor, and provided further, that said supervisor may at any time, remove an overseer for neglect, failure or refusal to perform his duties or for drunkenness while discharging the duties of his office.

Section 8. That said supervisor shall personally inspect all the public roads in the county at least four times each year, and in making such inspection, when practicable, shall be accompanied by the overseer of the section, and he shall make such suggestions and give such directions as to changing road beds, establishing, repairing, improving and working the public roads and in building, repairing and maintaining bridges and culverts as he may deem proper. He shall make full reports of the condition of the public roads, and the manner in which any contracts have been or are being executed to the court of county commissioners at the Feb-

ruary, May, August and November terms of said court in each year, and such special reports as said court may call for at other times.

Section 9. That the enumerator hereinbefore provided for shall, immediately after the first day of January of each year, make a thorough and complete canvass of his precinct, taking down the names and ages of all male inhabitants of the precinct over 18 and under 45 years of age and the names of all persons owning or controlling horses, mules or oxen, wagons and scrapes residing in said precinct and entering opposite each name so enrolled the name or location of the farm on which he resides, or the location of the house in which he dwells and the name of the public road nearest to his dwelling place and the number of horses, mules, oxen, wagons and scrapes that he owns or controls. The said enrollment book shall be written in a plain, legible manner, with ink, and upon the completion of the enrollment be at once filed in the office of the probate judge, or delivered to the supervisor.

Section 10. That said enumerator shall have authority to administer oaths and in making his enrollment of road hands, or at any time when it may be necessary to list persons for road service, if the person proposed to be listed shall claim to be over 45 or under 18 years of age, the said enumerator may take the affidavit of such person or any person so proposed to be listed, which affidavit shall be in writing and subscribed by the affiant and the same shall be preserved and filed by such enumerator in the office of the probate judge, except in cases where he has cause to believe that perjury has been committed he shall return such affidavit to the next grand jury; provided, that in listing persons for road duty no person who shall have a certificate of exemption from the county medical board, shall be listed for road service.

Section 11. That the enumerator herein provided for shall be exempt from further road service during the year he so serves, and all his stock, wagons, scrapes and implements, shall be exempt for two years from road duty; provided, that such enumerator shall hold office

at the will of the supervisor, and may be removed by him at any time for neglect of or failure to perform his duties, or for partiality or favoritism shown therein, and upon removal shall be subject to enrollment as a road hand.

Section 12. That on the appointment of overseers the supervisor is not restricted to persons who are subject to road duty under this act, and it shall be the duty of each overseer to make quarterly reports to the supervisor of any and all moneys received by him from hands in commutation of labor or of persons owning stock the name of the person from whom received, and when and for what paid, and shall pay over the same to the supervisor, taking his receipt therefor, and said supervisor shall pay the same to the county treasurer to be credited by him on the books of the road fund of the county; and it shall be the duty of the commissioners' court as far as practicable, to appropriate an amount at least equal to such funds for the working or maintenance of the respective roads to which the hands paying the same were apportioned.

Any overseer appropriating for his own use any money paid to him in commutation of labor or of stock shall be guilty of embezzlement and shall be liable to criminal prosecution therefor as provided by law in such cases.

Section 13. That all persons subject to road duty under ~~the general laws of the State shall be required to~~ work upon the public roads of said county for not less than eight days in each year, or instead thereof, shall pay the sum of three dollars annually or may pay a part in money and a part in labor at fifty cents per day, to be collected as hereinafter provided.

Section 14. That whenever an overseer shall determine that a road needs repairing or working, or when the supervisor shall so direct, he shall call out such hands as have been listed to him as he may deem sufficient in number to work or repair said road, but may take instead thereof fifty cents per day for each day's work for which each hand is called at the option of the hand, and if any hand shall fail or refuse to work or

pay fifty cents for each day he shall fail or refuse to work, it shall be the duty of the overseer, after five days from the warning to work was given, to return each and every hand so failing or refusing, to a justice of the peace of the county, and such road hand shall be proceeded against as a road defaulter under the general road laws of the State; provided, that the overseer may excuse defaulters on showing good excuse on oath, which may be administered by the overseer, within five days after default. Any person making a false affidavit to the overseer to get excused shall be guilty of perjury.

Section 15. That a day's work for road hands under this act shall be ten hours of actual service and the warning of hands shall be made in accordance with the general laws of the State, but no farm hand or person engaged in farming shall be worked except between July 15 and September 15, except in opening new roads as now provided by law or, for the removal of an obstruction or other casualty that prevents travel. No hand shall be required to go more than six miles from his residence in working the public roads.

Section 16. That when a road hand listed to an overseer, who has performed part of his road service, removes from a precinct, it shall be the duty of the overseer to furnish him on demand a written certificate showing the time he has served during the calendar year, which certificate shall be an exemption to such hand to the extent of the time worked from road service in any other precinct in the county to which he may remove.

Section 17. The supervisor shall let all repairing, keeping in order, building or constructing of all roads to the lowest responsible bidder, upon such notice as the commissioners' court may prescribe, all work to be done in accordance with full and accurate specifications to be furnished by the supervisor. Each contractor must give bond to be approved by the judge of probate for a faithful performance of his contract, in double the amount he is to be paid for the work undertaken by him. Every contractor shall be entitled to the services of the hands, animals, wagons and other implements apportioned to

the road or roads embraced in his contract, and all monies that may be paid by such hand in lieu of work, or by owners of such animals, wagons and other implements in lieu of the services thereof, or such proportion thereof as said court may think just and proper, in case there is more than one contractor for such road or roads; and it shall be the duty of the supervisor to furnish such contractor or contractors with a list of such hands, animals, wagons and other implements who shall have full power to summon the same for such work in the manner provided by law.

Section 18. Whenever a new pike or gravel road is built a dirt road of equal dimensions and flush therewith shall also be constructed, if practicable.

Section 19. Persons hauling logs, lumber or timber over the roads of said county, except persons hauling wood for fuel, shall pay a license of five dollars per month for each two horse wagon, and ten dollars per month for each four horse wagon used for such hauling; such license to be issued by the judge of probate, the proceeds thereof to be paid into the road fund of the county. For issuing each license the judge shall be entitled to a fee of twenty-five cents to be paid by the party procuring the license.

It shall be unlawful to do the hauling herein forbidden without first procuring such license.

~~Any person violating the provisions of this section shall be guilty of a misdemeanor, and on conviction, fined not less than ten nor more than fifty dollars, to be paid in lawful money, which fine when collected shall be paid over to the road supervisor as part of the road fund.~~

Section 20. That the overseers of roads appointed under this act shall be exempt from road duty, immediately after he shall serve as overseer, for the same time that they may serve as such overseer, and all horses, mules, oxen, wagons and implements owned by him shall be exempt from road service during the time he serves as such overseer.

Section 21. That all male inhabitants of the county within the ages of twenty-one and sixty-five years are

subject to road duty under this act as enumerators or overseers.

Section 22. That all work horses, mules, oxen, wagons, scrapes and other implements in said county are subject to road duty under this act and all owners and controllers of such horses, oxen, mules, wagons, scrapes and other implements shall be required to furnish to work on the public roads of said county, a horse, mule, ox, wagon, scrapes or other implement, together with harness, plow upon two days' notice by the overseer, for five days during each year, and any person or persons who shall fail or refuse to furnish same to work said roads after such notice by the overseer shall be immediately returned by such overseer to some justice of the peace of the county and on conviction by such justice of the peace shall be fined not less than one dollar nor more than ten dollars, to be paid in lawful money as part of the road fund; provided, that any owner or controller of such horses, oxen, mules, wagon or scrapes may be exempt any and all of them by the payment to the overseer of the sum of fifty cents for each horse, ox and mule, 50 cents for a one-horse wagon, \$1 for a two-horse wagon, \$2 for a four-horse wagon (except that all wagons with tires four inches wide or more shall be exempt) that he shall own or control, which money shall be paid by the overseer to the supervisor of roads to be paid by him to the county treasurer to the credit of the county road fund.

Provided further that one horse, ox or mule belonging to a practicing physician or a minister of the gospel be exempt.

Section 23. That whenever it can be done, it is the duty of the supervisor to have the roads worked by the overseers at such time as the implements bought and furnished by the county may be used first by one overseer and then by another, so that such implements may be used by all the overseers as much as possible.

Section 24. That any overseer who fails to perform his duty as such under the provisions of this act, shall be liable to prosecution, and fined on conviction not less than \$10.00 nor more than \$50.00.

Section 25. That the supervisor of roads shall be under the control and direction of the commissioners' court of the county, who shall require him to devote his entire time to the public roads and bridges of the county, and he shall be furnished with all necessary stationery and blanks for the use of his office, and that he shall keep such books and accounts, lists of overseers, enumerators and road hands as to show all transactions pertaining to the establishing, working, repairing and maintaining of the public roads and bridges and shall be provided with a desk in the court house in which to keep his books and other papers pertaining to his office.

Section 26. It shall be the duty of every person, firm or corporation employing hands, to furnish the supervisor upon his application, a list of hands in their employ between the ages of 18 and 45, and failing so to do, such person, firm or corporation shall be guilty of a misdemeanor, and on conviction, fined not less than ten nor more than fifty dollars.

Section 27. That it shall be the duty of the court of county commissioners of Madison county to have this act printed for the use of said court and other courts of the county and for the officers herein named.

Section 28. That the court of county commissioners shall have full power and authority to make and establish such rules and regulations, not in conflict with this act, ~~as it may deem necessary for the proper establishing, working, maintaining and repairing the public roads, bridges and culverts of said county and for requiring all persons charged with any duty, power or liability under this act, a rigid performance thereof.~~

Justices of the peace shall have jurisdiction of the offenses herein created for violations of the provisions of this act, except felonies.

Section 29. This act shall take effect at once and all laws and parts of laws in conflict with any of its provisions are repealed.

Was published once a week for four consecutive weeks, upon the following dates, to-wit: January 2, 9,

16, 23, 1907, in The Weekly Mercury, a newspaper published in Madison county, Alabama, and that affiant is the publisher and proprietor of said newspaper.

R. L. O'Neal.

Sworn to and subscribed before me this 8th day of July, 1907.

Rachel Tomlinson,
Notary Public.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bill No. 542, the title to which is set out in the above and foregoing Senate message, was read one time and referred to the standing committee on Local Legislation.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bill:

H. 1085. To amend an act to establish a State live-stock sanitary board and the office of State veterinarian in order to further protect live stock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama, approved March 12th, 1907.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills:

S. 190. To make the judge of the city court of Montgomery and the associate judge of the city court of Montgomery, elective by the people.

S. 260. To detach the county of Winston from the Northwestern chancery division of Alabama; to confer equity jurisdiction on the circuit court of said county; to provide for the appointment of a register for the equity side of said circuit court.

S. 397. To fix the boundary line between the counties of Randolph and Cleburne and to define the same.

S. 401. For the relief of J. L. Smith, an ex-confederate soldier, being a resident of Randolph county, Alabama.

S. 411. To divide the county of Lowndes into five districts and to provide for the election of a member of the board of revenue from each district.

S. 412. To provide for the compensation of the deputy solicitor of Lowndes county.

S. 458. To create the office of court stenographer for Dallas county; to provide for his appointment and compensation; to prescribe his powers and duties; and to provide for the taxing and collection and disposal of stenographer's fees in the courts of record in Dallas county.

S. 523. To create and establish a commission to be known as "Selma Water Works Commission," to prescribe their qualifications, mode of election, duties, powers and compensation, terms of office, and to fix a maximum rate to be charged for water in Selma, Alabama.

S. 344. To further regulate the opening, closing and operating saloons and giving away or selling spirituous, vinous or malt liquors under a license from the State and to punish violations thereof.

Your signature thereto is requested.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House amendment to S. J. R. 86, Relative to the adjournment of the two Houses on today, ect.

And has amended as therein shown, and as amended has passed:

H. 1046. To amend section two of an act to constitute the city of Anniston a separate school district and to provide a board of education therefor.

And returns same herewith to the House.

And has originated and passed the following Senate bills:

S. 619. For the relief of J. T. Ballow.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at its July session, for the relief of John T. Ballow, refunding to him fifty dollars out of the fine and forfeiture fund of Marengo county.

May 29th, 1907.

John T. Ballow.

The State of Alabama, }
Marengo County. }

Before me, Harry Simon, a notary public in and for Marengo county, Alabama, personally appeared H. W. Hayden, who being first duly sworn doth depose and say that he is editor of the Demopolis Times, a newspaper published in the city of Demopolis, in the county of Marengo, in the State of Alabama, that the annexed and attached notice has been published in said The Demopolis Times, without cost to the State, at least once a week for four consecutive weeks, to-wit: In the issue of said newspaper published on May 29th, 1907, June 3rd, 1907, June 10th, 1907, June 17th, 1907, June 24th, 1907, July 4th, 1907.

H. W. Hayden,
Editor The Demopolis Times.

Sworn to and subscribed before me this the 18th day of July, 1907.

Harry Simon.
Notary Public.

S. 620. For the relief of J. C. Webb, Jr., and J. T. Ballow.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at its July session for the relief of John T. Ballow and John C. Webb, Jr., refunding to them one hundred dollars out of the fine and forfeiture fund of Marengo county.

May 29th, 1907

Jno. C. Webb, Jr.
Jno. T. Ballow.

The State of Alabama, }
Marengo County. }

Before me, Harry Simon, a notary public in and for Marengo county, Alabama, personally appeared H. W. Hayden, who being first duly sworn doth depose and say that he is editor of The Demopolis Times, a newspaper published in the city of Demopolis, in the county of Marengo, in the State of Alabama, that the annexed and attached notice has been published in said The Demopolis Times, without cost to the State, at least once a week for four consecutive weeks, to-wit: in the issue of said newspaper published on May 29th, 1907, June 3rd, 1907, June 10th, 1907, June 17th, 1907, June 24th, 1907, July 4th, 1907.

H. W. Hayden,
Editor The Demopolis Times.

Sworn to and subscribed before me this the 18th day of July, 1907.

Harry Simon,
Notary Public.

And has amended, as therein shown, and as amended has passed:

H. 810. To establish a board of revenue for Houston county.

And returns same herewith to the House.

And in accordance with the House joint resolution 311, the President of the Senate, in the presence of the Senate, erased his signature from House bill No. 935.

And has passed:

H. 1322. To provide for the compulsory pilotage on all vessels and craft crossing the outer bar of Mobile bay, except vessels engaged in American coast-wise trade, and to repeal all laws in conflict herewith.

And returns same herewith to the House.

And has originated and passed:

S. 581. To require the tax assessor of Mobile county to make a lot book for the years 1906, 1907 and each year thereafter, showing in abstract form all legal subdivisions which have been or which may hereafter be made of all property in Mobile county, and the name of the person, firm or corporation to whom each lot or subdivision is assessed for the said years; and to provide compensation therefor.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
Mobile County. }

Personally appeared before me, Thos. J. Taylor, a notary public, in and for said State and county, Thomas B. Allman, who on oath deposes and says he is the cashier of the Herald Publishing Company; that said company publishes the Mobile Daily Herald, which is a newspaper published in the city and county of Mobile; that the subjoined advertisement was published in said newspaper, once each week for four consecutive weeks, as required by section 106 of the constitution, that is to say: June 20, 27, July 5, and 11, 1907.

Thomas B. Allman.

NOTICE.

Notice is hereby given that a bill will be introduced in the Legislature of Alabama at the adjourned session in July, "To require the tax assessor of Mobile county to make annually a lot book, showing in abstract form all legal subdivisions which have been, or which may hereafter be, made of all property in Mobile county, and the name of the person, firm or corporation to whom each lot or division is assessed for the year 1906 and each year thereafter, and provide compensation therefor."

Subscribed and sworn to before me this 11th day of July A. D. 1907.

Thos. J. Taylor,
Notary Public, Mobile Co., Ala.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Arnold, the House concurred in the Senate amendment to the bill, H. 1046, said Senate amendment being as follows :

A BILL

To be entitled an act to amend section two of an act to constitute the city of Anniston a separate school district, and to provide a board of education therefor.

Section 1. Be it enacted by the Legislature of Alabama, That section two of an act to constitute the city of Anniston a separate school district and to provide a board of education therefor, approved January 28th, 1891, be amended so as to read as follows:

Section 2. Be it further enacted, That the public schools of the city of Anniston shall be under the control and management of a board of education to consist of eleven suitable persons to be elected by the mayor and

city council of Anniston from the qualified electors of the city. Such board shall be divided into three classes, four in each of two classes, and three in the other class. The first class of four shall be elected at the first regular meeting of the city council in March, 1909, the second class of four at the same time in 1911, and the third class of three at the same time in 1913, and the term of office shall be six years, and until their successors have been elected and qualified and bi-ennially thereafter said mayor and city council shall elect the successors of the members whose terms expire. Vacancies in said board caused by death, resignation, or removal, shall be filled for the unexpired term by the mayor and city council. The board shall elect a chairman from its members, who shall hold office for the term of two years. He shall have the right to vote upon all questions before said board and shall have a casting vote where there shall be a tie. Provided that the members of said board as now constituted shall serve for the several terms for which they have been elected, and provided further that in March, 1909, in addition to the four of the class elected for the full term of six years, a fifth shall be elected for a term of two years, as one of the four of the said second class.

Yeas, 63; nays, 2.

Yeas:

Members:—

Speaker	Cooper	John
Altman	Cranford	Johnson
Arnold	Crum	King
Ballard (Autauga)	Doyle (Clark)	Kirby
Ballard (Pike)	Doyle (Marengo)	Lacy (Walker)
Baltzell	Elrod	Lancaster
Barton	Foster	Lawson
Benners	Fuller	Lee (Barbour)
Benson	Glover	Lee (Houston)
Bloch	Goodwyn	Long (Butler)
Brown	Haley	Long (Morgan)
Bulger	Penley	Malone
Burney	Hughston	Maner
Carmichael (Clay)	Jenkins	Mastin

Mitchell	Pugh	Sherrod
Moore	Rainer	Smith (Elmore)
McMillan	Rushton	Smith (Franklin)
Parker	Sample	Tunstall
Pearson	Sanders	Vann
Pewer	Sanford	Weaver
Pratt	Seale	White (Lamar)

—63.

Nays:

Messrs:—

John

Ragsdale

—2.

The Senate bills the titles to which are set out in the above and foregoing Senate message, were read one time and referred to appropriate standing committees, as follows:

Appropriations, S. 619, S. 620.

Local Legislation, S. 581.

And on motion of Mr. Lee, of Houston, the House concurred in the Senate amendment to the bill, H. 810, said Senate amendment being as follows:

Amend by striking section 2 of said bill, and add in lieu thereof, the following: "Section 2. Be it further enacted, that said county of Houston is hereby divided into five (5) revenue districts, numbered district No. 1, embracing beats 1, 2, 3, 4; district No. 2, embracing beat No. 3; district No. 3, embracing beats No. 7, 8, 10, 14; ~~district No. 4, embracing beats No. 6, 11, 12; district No. 5, embracing beats No. 9, 13.~~ That Y. L. Brackin, from district No. 1; that N. B. Crawford, from district No. 2; that N. S. Fellows, from district No. 3; that A. J. Sellars, from district No. 4; that Dan. Huds-feth, from district No. 5, be and the same are hereby named as said board of revenue for Houston county. That their term of office shall expire in the year 1910; that the term of office of said board of revenue shall be for six years, and their successors shall be elected by the qualified electors of said county of Houston in the year 1910, and every six years thereafter, one each from said district as aforesaid, in the manner provided by law for the election of county officers. Each member

of said board of revenue must be a bona fide resident of the district from which he is elected."

Amend section 3, by striking that part of section 3 as follows: "And the sole right and authority to bind the county in any contract for the payment of money."

Amend section 7 by striking out that part of said section 7 as follows: And the said president of said board is hereby made the tax commissioner for said county and shall do and perform all the duties heretofore and that may hereafter be required of such tax commission, and shall have and exercise all of the powers now or that may hereafter be conferred upon such tax commissioner and shall receive the same fees and compensation allowed said tax commissioner by law."

Amend section 13 by adding in lieu of the words "two dollars and fifty cents," the words "three dollars."

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Elrod	Mitchell
Altman	Fuller	Moore
Arnold	Glover	Parker
Ballard (Autauga)	Goodwyn	Pearson
Ballard (Pike)	Gunter	Peete
Baltzell	Haley	Powell (Bullock)
Barton	Hoffman	Powell (Covington)
Benners	Hughston	Power
Benson	Jenkins	Pratt
Bloch	John	Pugh
Brown	Jones	Rainer
Bulger	Kirby	Rice
Burney	Lacy (Walker)	Rowe
Carmichael (Clay)	Lancaster	Sample
Cooper	Lawson	Seale
Cranford	Lee (Barbour)	Sherrod
Crum	Lee (Houston)	Vann
Doyle (Clark)	Malone	Weaver
Doyle (Marengo)	Maner	White (Lamar)
Edwards	Mastin	

—60.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills have examined the following House bills and beg leave to report the same correctly enrolled:

H. 1077. To fix a basis for the ascertainment of the annual franchise tax on foreign corporations.

H. 742. To prohibit the sale of intoxicating liquors of every kind, within three miles of the public school house at Creola, Mobile county, Alabama, and to provide a penalty for the violation of this act.

H. 921. To regulate the fine and forfeiture fund of Escambia county and to better provide for the payment of State witnesses and officers fees in said county.

H. 1129. To encourage the development of the various unused water powers in the State, by exemptions from taxation for a period of ten years.

H. 1130. To encourage the manufacture of calcium cyanamid (lime nitrogen) in this State, by exemptions from taxation for a period of ten years.

H. 935. To amend section 22 of an act entitled "An act to establish the city court of Bessemer.

H. 1322. To provide for compulsory pilotage on all vessels and craft crossing the outer bar of Mobile bay, except vessels engaged in American coast-wise trade, and to repeal all laws in conflict herewith.

J. S. Williams,

Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the standing committee on Enrolled Bills.

BILL ON THIRD READING.

H. 905. To provide for the publication of the local laws enacted by the Alabama Legislature in the various counties to which they apply.

Was taken up. Mr. Benners offered the following amendment:

Amend the bill by inserting in section one and section two after the word "some" and before the word "weekly" where they occur, the words "daily or" making it to read as amended "daily or weekly paper."

And the amendment was adopted.

Yeas, 55; nays, 2.

Yeas:

Messrs:—

Speaker	Fuller	McMillan
Alford	Glover	Parker
Altman	Goodwyn	Pearson
Armstrong	Gunter	Peete
Arnold	Haley	Pitts (Dallas)
Arrington	Henley	Pitts (Perry)
Ballard (Autauga)	Hoffman	Powell (Bullock)
Baltzell	Hughston	Pratt
Barton	Jenkins	Pugh
Benners	Jones	Rainer
Benson	Kirby	Rattray
Bloch	Lacy (Walker)	Rice
Bulger	Lawson	Sample
Burney	Lee (Barbour)	Sanders
Carmichael (Clay)	Lee (Houston)	Sanford
Cooper	Malone	Sherrod
Cranford	Mitchell	Smith (Lee)
Crum	Moore	Tunstall
Foster		

—55.

Nays:

Messrs:—

Cannon

Brown

—2.

Mr. Tunstall offered the following amendment:

Amend by striking out of Sec. 1 all beginning with "once." Also amend Sec. 2, by striking following: "And one cent per word for each succeeding insertion."

And the amendment was adopted.

Yeas, 45; nays, 13.

Yeas:

Messrs:—

Speaker	Arnold	Ballard (Autauga)
Altman	Arrington	Ballard (Pike)

Baltzell	Hughston	Rainer
Benners	Jenkins	Rattray
Benson	John	Rice
Bloch	Jones	Rowe
Brown	Killen	Sample
Bulger	Kirby	Seale
Cannon	Lacy (Walker)	Sherrod
Carmichael (Clay)	Lee (Barbour)	Smith (Franklin)
Coleman (Marshall)	Malone	Tunstall
Cranford	Mitchell	Vann
Crum	Parker	Weaver
Doyle (Clark)	Pearson	White (Perry)
Doyle (Marengo)	Ragsdale	Woolf

—45.

Nays:		
Messrs:—		
Edwards	Powell (Bullock)	Sanford
Long (Butler)	Pratt	Smith (Lee)
Long (Morgan)	Rushton	Turner
Mastin	Sanders	White (Lamar)
Pitts (Dallas)		

—13.

ADJOURNMENT.

Pending the further consideration of the bill, H. 905, the hour of six o'clock having arrived, the House adjourned until 8 p. m.

NIGHT SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Yeas:		
Messrs:—		
Speaker	Avery	Benners
Alford	Arrington	Benson
Altman	Baltzell	Bloch
Armstrong	Barton	Brown

Bulger	Kirby	Pratt
Burney	Kornegay	Pugh
Cannon	Lacy (Walker)	Ragsdale
Coleman (Lowndes)	Lawson	Rainer
Coleman (Marshall)	Lee (Barbour)	Rattray
Cooper	Lee (Etowah)	Rice
Cranford	Lee (Houston)	Rowe
Crum	Long (Butler)	Rushton
Doyle (Marengo)	Lyons	Sample
Dudley	Malone	Sanders
Edwards	Maner	Sanford
Elrod	Mastin	Seale
Foster	Middleton	Sherrod
Fuller	Mitcheli	Smith (Etowah)
Glover	McCrory	Smith (Lee)
Goodwyn	McDuffie	Steagall
Gunter	McMillan	Thompson
Haley	Norville	Tunstall
Henley	Oliver	Turner
Hoffman	Parker	Vann
Hughston	Pearson	Weaver
John	Peete	White (Perry)
Johnson	Pitts (Perry)	Williams
Jones	Power	Woolf
Killen		

—86.

A quorum was present.

PRIVILEGES OF THE FLOOR

Were extended to Hon. N. D. Godbold, of Wilcox county, for the night session.

Mr. Long, of Butler, called up his motion to take from the adverse calendar the bill S. 29, and refer it to a committee of the whole House. Mr. McMillian moved to table the motion of Mr. Long (of Butler), and the motion to table was lost.

Yeas, 21; nays, 43.

Yeas:

Messrs:—

Speaker	Cannon	Jenkins
Altman	Elrod	Jones
Armstrong	Goodwyn	Killen
Benners	Henley	Lee (Barbour)

McCrory
Peete
Pugh

Rice
Rowe
Rushton

Sanders
Smith (Franklin)
Weaver

—21.

Nays:

Messrs:—

Alford
Arnold
Barton
Benson
Bloch
Bulger
Burney
Carmichael (Clav)
Cooper
Cranford
Doyle (Marengo)
Foster
Glover
Gunter
Haley

Hoffman
Hughston
John
Johnson
Lacy (Walker)
Lancaster
Lawson
Lee (Houston)
Long (Butler)
Long (Morgan)
McDuffie
Parker
Pearson
Pitts (Dallas)

Pitts (Perry)
Ragsdale
Rainer
Rattray
Sample
Sanford
Sherrod
Smith (Elmore)
Thompson
Tunstall
Turner
Vann
Williams
Woolf

—43.

The question recurred upon the motion of Mr. Long, of Butler, to go in a committee of the whole. And the motion prevailed.

COMMITTEE OF THE WHOLE.

The Speaker named Mr. Foster as chairman of the committee of the whole.

The committee rose and reported the bill, S. 29, adversely, and on motion of Mr. Foster the bill, S. 29, was indefinitely postponed.

RESOLUTIONS.

The following resolutions were introduced and referred to the committee on Rules:

By Mr. Fuller:

H. R. 317. Resolved, that H. B. 1342, on page 78, of the calendar—amending sections 14 and 16 of the car

service and demurrage bill; and H. B. 1343, on page 78 of the calendar—authorizing the railroad commission to alter and change the rules and regulations of the car service and demurrage bill—be made a special, paramount and continuing orders for Monday, July 29th.

By Mr. Rushton:

H. R. 318. Resolved, that H. B. 3, be made a special, paramount, continuing order for some hour to be fixed by the committee on Rules. Said bill is to define and fix liabilities of telegraph companies in the transmission and delivery of telegraphic messages.

By Mr. Rushton:

H. R. 319. Resolved, that H. B. 737, be made a special, paramount, continuing order for the next legislative day, the hour to be fixed by the Rules committee. This bill relates to preventing reversals in criminal cases on mere technicalities.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bills:

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced in the next Legislature of Alabama providing that no license or taxes of any character shall be required by State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

The State of Alabama, }
 Montgomery County. }

This day appeared before me, a notary public in and for said State and county, G. H. McCombs, who, being duly sworn, states: That he is cashier of The Advertiser Company, a newspaper doing business in Montgomery, Alabama, and that the attached notice appeared in four issues of said paper upon the following dates: April 28, May 5, 12 and 19, 1907.

G. H. McCombs.

Sworn to and subscribed before me this 11th day of July, 1907.

Rica Alexander,
 Notary Public, Montgomery Co., Ala.

S. 562. For the relief of Charles G. Abercrombie & Company on unexpired license as future dealers.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

AFFIDAVIT OF PUBLICATION.

Huntsville, Ala., July 8th, 1907.

This day personally appeared R. L. O'Neal, Jr., business manager of the daily paper published at Huntsville Ala. who, being duly sworn, deposes and says that the notice hereto attached is a true copy of a notice which appeared in said paper for four successive weeks next prior to this date. R. L. O'Neal, Jr.

Sworn to and subscribed before me this the 8th day of July, 1907.

Henry McDannell,
 Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session, 1907, of the Legislature of Alabama, which reconvenes in July, which bill is in substance as follows:

Whereas, Charles G. Abercrombie & Co. were licensed by the State of Alabama to do business as future dealers for the year 1907 in the city of Huntsville, Madison county, Alabama, paying therefor the sum of \$250.00 to the State of Alabama.

And, whereas, by an act of the Legislature, approved March 7th, 1907, said license was cancelled by reason of the imposition of an additional license for said business, which said Charles G. Abercrombie & Co. declined to pay and ceased to do business on April 1st, 1907, leaving an unexpired term of nine months under said license.

Therefore, be it enacted by the Legislature of Alabama, That the auditor is hereby authorized to draw his warrant in favor of said Charles G. Abercrombie & Co. on the treasurer of the State of Alabama for the sum of \$187.47, being the amount of said license unexpired on April 1st, 1907.

C. G. Abercrombie.

The State of Alabama, }
Jefferson County. }

Personally appeared before me, D. N. Smith, a notary public in and for said State and county, Jas. J. Smith, publisher of the Birmingham Ledger, a newspaper published in the State and county aforesaid, who, upon oath says that the notice hereto attached was published in the Birmingham Ledger, one time a week for four consecutive weeks, beginning May 31st, 1907.

James J. Smith.

Sworn to before me this July 1st, 1907.

D. N. Smith, Notary Public.

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session, 1907, of the Legislature of Alabama, which re-convenes in July, which bill is in substance as follows:

Whereas, Charles G. Abercrombie & Co. were licensed by the State of Alabama to do business as future deal-

ers for the year 1907 in the city of Birmingham, Jefferson county, Alabama, paying therefor the sum of \$500.00 to the State of Alabama; and,

Whereas, by an act of the Legislature, approved March 7, 1907, said license was cancelled by reason of the imposition of an additional license for said business, which said Charles G. Abercrombie & Co. declined to pay and ceased to do business on April 1st, 1907, leaving an unexpired term of nine months under said license.

Therefore, be it resolved by the Legislature of Alabama, That the auditor is hereby authorized to draw his warrant in favor of said Charles G. Abercrombie & Co. on the treasurer of the State of Alabama for the sum of \$374.94, being the amount of said license unexpired on April 1st, 1907.

C. G. Abercrombie.

PROOF OF PUBLICATION.

The State of Alabama, }
Morgan County. }

Before me, Dan Walden, personally appeared H. E. Hildreth, who, being duly sworn, deposes and says, on oath, that he is the publisher of the New Decatur Advertiser, a newspaper published in New Decatur, in said county; and further, that the annexed advertisement of Chas. Abercrombie was given publication in said newspaper for the period of four consecutive weeks, beginning June 6th, 1907. (Signed) H. E. Hildreth

Sworn and subscribed to before me, this 1st day of July, 1907.

Dan Walden,

N. P. and Ex-Offi. J. P.

NOTICE.

Notice is hereby given that a bill will be introduced at the adjourned session, 1907, of the Legislature of Alabama, which re-convenes in July, which bill is in substance as follows:

Whereas, Charles G. Abercrombie was licensed by the State of Alabama to do business as a future dealer for

the year 1907, in the city of Decatur, Morgan county, Alabama, paying therefor the sum of \$250.00 to the State of Alabama.

And, whereas, by an act of the Legislature, approved March 7th, 1907, said license was cancelled by reason of the imposition of an additional license for said business, which said Charles G. Abercrombie declined to pay and ceased to do business on April 1st, 1907, leaving an unexpired term of nine months under said license.

Therefore, be it enacted by the Legislature of Alabama, That the auditor is hereby authorized to draw his warrant in favor of said Charles G. Abercrombie on the treasurer of the State of Alabama for the sum of \$187.47, being the amount of said license unexpired on April 1st, 1907.

C. G. Abercrombie.

And has originated and adopted the following Senate joint resolution:

S. J. R. 82. Whereas, the effect of the present bankruptcy laws of the United States, by reason of enforcement thereof, the interpretation put upon them and their execution in this State, work hardships upon the commerce of Alabama, tend to create uneasiness in business circles, and prove a loop-hole for those who so desire to escape the payment of their just obligations.

Now, therefore, be it resolved by the Senate, the House concurring, that we do hereby petition our Representatives in the Congress of the United States to aid in the effort to have the said bankruptcy statutes repealed.

And sends same herewith to the House.

And has originated and passed the following Senate bills:

S. 596. To repeal an act to repeal sections 3957, 3958, 3959, 3960, 3961, 3962, and 3963 of the Code of Alabama of 1896 in so far as the same applies to Jackson county, approved October 13, 1903.

And sends the same to the House, with notice and proof attached and herewith exhibited as follows:

The State of Alabama, }
 Jackson County. }

Personally appeared before W. W. McCutchen, judge of probate in and for said county and State, L. E. Brown, who, being duly sworn, says that he is editor and proprietor of the Progressive Age, a newspaper published in Jackson county, and that the following notice appeared and was published in such paper for four consecutive weeks, viz.: May 2, 9, 16, and 23d, 1907.

L. E. Brown.

NOTICE.

Is hereby given that a bill will be introduced in the present Legislature of Alabama, which convenes in Montgomery on the 9th day of July, 1907, to repeal an act passed by the Legislature of Alabama Oct. 13, 1903, which act repealed sections 3957, 3958, 3959, 3960, 3961, 3962, and 3963 of the Code of 1896 in regard to land books to be prepared by the tax assessor as far as they apply to Jackson county.

This April 23, 1907.
 ap25-4t

J. H. Gregory.

Sworn to and subscribed before me this 16th day of July, 1907.

W. W. McCutchen,
 Judge of Probate.

~~S. 312. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors, or other intoxicating drinks, in Henry county, and to provide punishment of violations of said act.~~

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
 Henry County. }

Before me, R. W. Miller, a notary public in and for said county, said State, personally appeared A. U. Grouby, who being duly sworn by me, deposes and says: That he is proprietor, editor and manager of The Abbeville

News, a weekly newspaper published in the town of Abbeville, county of Henry and State of Alabama, on Friday of each week; that the notice hereto attached or pasted, and made a part of this affidavit was published in his said paper once a week for four successive weeks, on, to-wit: The 19th day of July, the 12th day of July, the 5th day of July and the 28th day of June, of the year 1907.

NOTICE.

The State of Alabama, }
Henry County. }

Notice in hereby given that there will be introduced in the Legislature of Alabama, at the adjourned term thereof when said body shall reconvene in July, 1907, for the purpose of completing the present term, a bill which shall provide:

First—That no spirituous, vinous or malt liquors, or intoxicating drinks shall, after the passage of said act, be sold, bartered or exchanged in said Henry county, Alabama, by or through a dispensary, or otherwise.

Second—For an adequate penalty for the violation of said act.

Third—For the repeal of all dispensary laws, and of all other laws in conflict with said act in so far as the same may relate to or affect said Henry county.

June 28th, 1907.

A. U. Grouby.

Sworn to and signed before me, on this the 20th day of July, 1907.

R. W. Miller,
Notary Public.

S. 571. For the relief of Jno. S. Bonner, a disabled ex-confederate soldier of Pickens county, Alabama.

And sends same herewith to the House, without engrossment with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that a bill will be introduced before the present Legislature for the relief of John S. Bonner, an ex-confederate soldier, whose name was erroneously dropped from the pension roll.

The State of Alabama, }
Pickens County. }

Personally appeared before me one Marion Johnson, who is an editor of the Alabamaian Herald, a paper published in Pickens county, Alabama, deposes and says that the above notice appeared in said paper for four consecutive weeks, beginning on the 5th day of June, 1907.

Marion Johnson.

Sworn and subscribed before me this the 22nd day of July, 1907.

C. V. Thompson,
Notary Public.

J. A. Kyle,
Secty.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message, were read one time and referred to appropriate standing committees, as follows:

Ways and Means, S. 608.

Appropriations, S. 562, S. 571.

Local Legislation, S. 596.

Temperance, S. 618.

Federal Relations, S. J. R. 82.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in and adopted the report of the committee of conference on the disagreement of the two Houses on the House amendment to the bill, S. 509.

J. A. Kyle,
Secretary.

BILLS ON THIRD READING.

S. 724. To amend section 10 of an act entitled an act to amend an act to incorporate the Tuskegee Normal and Industrial Institute, and to amend an act to amend an act to establish a normal school for colored teachers at Tuskegee, Alabama, approved February 21st, 1893.

Was read a third time, at length, and lost.

Yeas, 23; nays, 47.

Yeas:

Messrs:—

Alford	Hoffman	Rainer
Benson	Jenkins	Sanford
Bloch	Lee (Houston)	Sherrod
Cannon	Long (Butler)	Smith (Elmore)
Coleman (Marshall)	Long (Morgan)	Thompson
Crum	McDuffie	Turner
Glover	Norville	Williams
Henley	Ragsdale	

—23.

Nays:

Messrs:—

Speaker	Haley	Pearson
Altman	Hughston	Peete
Armstrong	John	Pitts (Perry)
Ballard (Autauga)	Johnson	Pugh
Baltzell	Jones	Rattray
Barton	Killen	Rowe
Benners	Kirby	Rushton
Brown	Lancaster	Sample
Burney	Lawson	Sanders
Carmichael (Clay)	Lee (Barbour)	Seale
Cooper	Middleton	Smith (Franklin)
Cranford	Mitchell	Thompson
Elrod	Moore	White (Lamar)
Fuller	McCrary	White (Perry)
Goodwyn	McMillan	Woelf
Gunter	Parker	

—47.

S. 421. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker

Alford

Altman

Arnold

Avery

Baltzell

Barton

Benners

Benson

Bloch

Bulger

Burney

Cooper

Cranford

Crum

Foster

Fuller

Gunter

Haley

Hoffman

John

Jones

Killen

King

Kirby

Lancaster

Lawson

Lee (Houston)

Long (Butler)

Long (Morgan)

Lyons

Malone

Maner

Mastin

Moore

McMillan

Oliver

Parker

Pearson

Peete

Pugh

Ragsdale

Rainer

Rattray

Rice

Rowe

Sanders

Seale

Sherrod

Smith (Elmore)

Thompson

Tunstall

Turner

Vann

Weaver

Woolf

—56.

~~S. 500. To provide for the appointment by the judges of the city court of Birmingham of the necessary bailiffs for said court and to fix the duties, powers, liabilities and compensations of said bailiffs and to provide for the payment of their compensation.~~

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker

Alford

Altman

Arnold

Avery

Baltzell

Barton

Benson

Bloch

Brown

Bulger

Burney

Cannon	King	Rainer
Cooper	Kirby	Rattray
Crum	Lawson	Rice
Dudley	Lyons	Rowe
Elrod	Malone	Sample
Foster	Maner	• Sanders
Fuller	Mastin	Sanford
Glover	Oliver	Seale
Gunter	Parker	Sherrod
Haley	Pearson	Tunstall
Henley	Peete	Turner
Jenkins	Power	Vann
John	Pratt	Weaver
Jones	Pugh	Woolf
Killen	Ragsdale	

—56.

S. 512. To confer equity jurisdiction upon the circuit court of Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit court in said counties, and to provide a register for said courts.

Was taken up. Mr. Barton offered the following amendment:

Amend Sec. 3 by striking out of line 2 of sub. 1 the words ("3rd Monday") and insert in lieu thereof the words (2nd Monday) and by striking out of line 2 of Sub. 2 of said Sec. 3 the words (4th Monday) and insert in lieu thereof the words 3rd Monday.

And the amendment was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Baltzell	Cannon
Alford	Barton	Cooper
Altman	Benness	Cranford
Armstrong	Benson	Crum
Arnold	Bloch	Doyle (Clark)
Arrington	Brown	Doyle (Marengo)
Avery	Bulger	Dudley

Elrod
Foster
Glover
Gunter
Haley
Henley
Hoffman
John
Jones
King
Kirby
Lancaster

Lawson
Lee (Barbour)
Lee (Etowah)
Lee (Houston)
Lyons
Malone
Maner
Mastin
Parker
Peete
Power
Pratt

Pugh
Rattray
Rice
Rowe
Seale
Steagall
Thompson
Turner
Vann
Weaver
Woolf

—56.

And the bill:

S. 512. To confer equity jurisdiction upon the circuit court of Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit court in said counties, and to provide a register for said courts.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker
Alford
Altman

Dudley
Edwards
Elrod
Foster

Long (Butler)
Long (Morgan)
Lyons
Malone

Arnold
Avery
Baltzell
Barton
Benners
Block
Brown
Burney
Cannon
Cooper
Cranford
Crum

Fuller
Glover
Gunter
Haley
Hoffman
John
Jones
King
Kirby
Lacy (Walker)
Lancaster
Lee (Houston)

Maner
Mastin
Mitchell
Moore
Oliver
Peete
Power
Pratt
Pugh
Rice
Sample
Sanders

Sanford	Tunstall	Weaver
Seale	Turner	Woolf
Sherrod	Vann	

—56.

S. 415. To repeal an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:--

Speaker	Foster	Power
Alford	Fuller	Pratt
Altman	Glover	Pugh
Armstrong	Gunter	Rainer
Arnold	Hoffman	Rice
Arrington	John	Rowe
Avery	Jones	Hashton
Baltzell	King	Sample
Barton	Kirby	Sanders
Benson	Lawson	Sanford
Bloch	Lyons	Seale
Brown	Malone	Sherrod
Burney	Maner	Tunstall
Cannon	Mastin	Turner
Cooper	Mitchell	Vann
Cranford	Moore	Weaver
Crum	McCrory	Williams
Dudley	Parker	Woolf
Elrod	Peete	

—56.

H. 1372. To fix the time when the tax collector and tax assessor of Walker county shall begin the round and to visit the several precincts of said county for the purpose of assessing and collecting taxes.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Pearson
Alford	Gunter	Peete
Altman	Haley	Power
Armstrong	Henley	Pratt
Arnold	Hoffman	Fugh
Arrington	John	Kagsdale
Avery	Jones	Rainer
Baltzell	King	Rowe
Barton	Kirby	Sample
Benners	Lacy (Walker)	Sanders
Bloch	Lawson	Seale
Burney	Long (Butler)	Sherrod
Cooper	Long (Morgan)	Tunstall
Cranford	Lyons	Turner
Crum	Maner	Vann
Dudley	Mastin	Weaver
Elrod	Moore	Williams
Foster	McCrory	Woolf
Glover	Oliver	

—56.

H. 1365. For the relief of B. H. Worthy, of Clay county, to validate the warrants in the sum of \$29.15 held by him against the road and bridge fund of said county, and to authorize the county treasurer of said county to pay said warrants.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Benson	Elrod
Alford	Bloch	Foster
Altman	Brown	Glover
Armstrong	Burney	Gunter
Arnold	Carmichael (Clay)	Haley
Arrington	Cooper	Henley
Avery	Cranford	Hoffman
Baltzell	Crum	John
Barton	Dudley	Johnson

Jones	Mastin	Rice
Killen	Moore	Rowe
King	McMillan	Sample
Kirby	Norville	Seale
Lacy (Walker)	Oliver	Sherrod
Lancaster	Pearson	Turner
Lawson	Peete	Vann
Lyons	Power	Weaver
Malone	Pratt	Woolf
Maner	Pugh	

—56.

S. 402. To provide for the holding of a term of the circuit court of the Fifth judicial circuit of Coosa county, at Goodwater, and to regulate the same.

Was taken up. Mr. John offered the following amendment:

Amend section 1, by striking out all after the fourth line, and inserting the following:

“On the third Monday in February and August and may continue two weeks.”

Amend by striking out section 10, and inserting in lieu thereof the following:

“That the first term of said court shall be held on the third Monday in August, 1907, and said circuit court at Goodwater shall be held in such building as may be provided for the holding of said court by the mayor and aldermen of Goodwater until such time as the commissioners’ court of such county may provide for and designate some other building within the corporate limits of the town of Goodwater for the holding of said circuit court at Goodwater, but nothing herein shall be so construed as to require the commissioners’ court of Coosa county to build a court house for such purpose at the expense of said county.”

Further amend by striking out section 11, and insert in lieu thereof the following:

“The sheriff and clerk of Coosa county shall perform all the duties required of them under the provisions of this act and for the faithful performance of their duties under the provisions of this act, they shall be lia-

ble on their official bonds, and on the official bonds of such officers subsequently executed and the sureties on such bonds shall be liable in the same manner and to the same extent as for other official acts of said officers."

And the amendment was adopted.

Yeas, 53; nays, 4.

Yeas:

Messrs:—

Speaker	Hoffman	Pugh
Benson	Hughston	Rainer
Bloch	Jenkins	Rice
Brown	John	Rowe
Bulger	Kirby	Rushton
Cannon	Lacy (Walker)	Sample
Carr (Michael (Clay)	Lancaster	Sanders
Coleman (Marshall)	Lee (Houston)	Sanford
Cooper	Malone	Scale
Cranford	Mitchell	Sherrod
Dudley	Moore	Smith (Franklin)
Foster	McMillan	Thompson
Fuller	Norville	Tunstall
Glover	Parker	Vann
Goodwyn	Peete	White (Lamar)
Gunter	Pitts (Dallas)	Williams
Haley	Pitts (Perry)	Woolf
Henley		

—53.

Nays:

Messrs:—

Barton	Crum	Johnson
Pearson		

—4.

Mr. John offered the following amendment to the bill:

Amend section 1 as amended so as to read as follows:

Section 1. Be it enacted by the Legislature of Alabama, That there shall be held a term of the circuit court of the Fifth judicial circuit, or any other circuit in which Coosa county may be by any past or future act of the Legislature of Alabama, at Goodwater in

Coosa county, commencing on the twelfth Monday after the fourth Monday in February and August in each year and may continue two weeks.

Amend section 10 as amended by striking out the following words, to-wit: "Third Monday in August, 1907" and insert in lieu thereof the following: "Twelfth Monday after the fourth Monday in August, 1907."

And the amendment was adopted.

Yeas, 51; nays, 3.

Yeas:

Messrs:—

Speaker	Henley	Pugh
Alford	Hughston	Rainer
Baltzell	Jenkins	Rowe
Benson	John	Sample
Bloch	Kirby	Sanders
Brown	Lancaster	Sanford
Bulger	Lawson	Sherrod
Cannon	Lee (Houston)	Smith (Elmore)
Coleman (Marshall)	Malone	Smith (Etowah)
Cranford	Mitchell	Smith (Franklin)
Dudley	Moore	Thompson
Foster	McCrory	Tunstall
Fuller	McMillan	Vann
Glover	Norville	White (Lamar)
Goodwyn	Parker	White (Perry)
Gunter	Peete	Williams
Haley	Pitts (Dallas)	Woelf

—51.

Nays:

Messrs:—

Crum	Johnson	Pearson
------	---------	---------

—3.

And the bill:

S. 402. To provide for the holding of a term of the circuit court of the Fifth judicial circuit of Coosa county, at Goodwater, and to regulate the same.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 7.

Yeas:

Messrs:—

Speaker

Alford

Arnold

Benson

Bloch

Brown

Bulger

Burney

Coleman (Marshall)

Cooper

Cranford

Dudley

Foster

Glover

Goodwyn

Gunter

Haley

Henley

Hoffman

Hughston

Jenkins

John

Kirby

Lancaster

Lee (Barbour)

Lee (Houston)

Malone

Mitchell

Moore

McDuffie

Parker

Peete

Pitts (Dallas)

Pitts (Perry)

Pugh

Ragsdale

Rainer

Rice

Rowe

Rushton

Sample

Sanders

Sanford

Seale

Sherrod

Smith (Elmore)

Smith (Etowah)

Thompson

Tunstall

Vann

White (Lamar)

White (Perry)

Williams

Woolf

—56.

Nays:

Messrs:—

Barton

Johnson

Pearson

Doyle (Clark)

Killen

Fuller

Long (Butler)

—7.

~~MR. Lee, of Barbour, gave notice that on next Monday he would move to take H. 1386 from the adverse calendar.~~

H. 1345. To amend sections 5 and 7 of an act entitled "An act to provide and establish a stock law for Lamar and Fayette counties," so far as the same relates to Brown's precinct, No. 4 in Lamar county.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker

Alford

Altman

Arnold

Arrington

Avery

Barton	Hoffman	Power
Bloch	John	Pratt
Brown	Jones	Pugh
Bulger	Killen	Rainer
Burney	King	Rattray
Cannon	Kirby	Rice
Cooper	Lawson	Rowe
Cranford	Lyons	Sample
Crum	Maner	Sanders
Dudley	Mastin	Seale
Elrod	Moore	Sherrod
Foster	McCrorry	Tunstall
Fuller	McDuffie	Turner
Glover	McMillan	Vann
Gunter	Parker	Williams
Haley	Pearson	Wolff
Henley	Peete	

—57.

S. 418. To fix the compensation to be allowed the sheriff and clerk of the circuit court of Conecuh county, Alabama, for all official duties for the compensation of which no express provision is made by law.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Cannon	Jones
Alford	Cooper	Killen
Altman	Cranford	King
Arnold	Crum	Kirby
Arrington	Dudley	Lancaster
Avery	Elrod	Lawson
Baltzell	Foster	Lyons
Barton	Glover	Maner
Benness	Gunter	Mastin
Benson	Haley	Mitchell
Bloch	Henley	Moore
Brown	Hoffman	Norville
Bulger	Jenkins	Oliver
Burney	John	Peete

Power	Rowe	Tunstall
Pratt	Sample	Turner
Pugh	Sanford	Vann
Rainer	Seale	Weaver
Rice	Thompson	Wolff

—57.

S. 413. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within two (2) miles of any church or house used for religious worship in the town of Sanford, in Covington county, and to provide punishment for violations of this act.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Edwards	Moore
Alford	Elrod	Oliver
Altman	Foster	Parker
Armstrong	Fuller	Pearson
Arnold	Glover	Peete
Arrington	Gunter	Powell (Covington)
Avery	Haley	Power
Baltzell	Jenkins	Ragsdale
Barton	John	Rainer
Benners	Jones	Rice
Benson	King	Rowe
Bloch	Kirby	Rushon
Brown	Lawson	Sample
Bulger	Long (Butler)	Seale
Burney	Long (Morgan)	Steagall
Cannon	Lyons	Turner
Cooper	Malone	Vann
Cranford	Maner	Weaver
Crum	Mastin	Wolff

—57.

H. 1341. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials, or other intoxicating drinks

or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist church or Ivey Creek public schoolhouse, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Ragsdale
Alford	Haley	Rainer
Altman	Jones	Rattray
Arnold	King	Rice
Avery	Kirby	Rowe
Baltzell	Lacy (Walker)	Rushton
Barton	Lancaster	Sample
Bulger	Lawson	Sanders
Burney	Lyons	Sanford
Cannon	Malone	Seale
Cooper	Maner	Sherrod
Cranford	Mastin	Smith (Lee)
Crum	Moore	Steagall
Dudley	Norville	Thompson
Elrod	Oliver	Tunstall
Foster	Peete	Turner
Fuller	Power	Vann
Glover	Pratt	Weaver
Goodwyn	Pugh	Wolff

—57.

S. 407. To vacate the dedication of the following alleys and parts of a street in the Elyton Land Company's survey in the city of Birmingham, Alabama: the alley bisecting block 94 and the alley bisecting block 95 and that part of Fifteenth street lying between the north line of First avenue and the south line of Second avenue; and to provide compensation for any property owner injured thereby.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker
Alford
Altman
Arnold
Arrington
Avery
Baltzell
Barton
Benson
Bloch
Brown
Bulger
Cannon
Cooper
Crum
Dudley
Elrod
Foster
Fuller

Glover
Goodwyn
Gunter
Haley
Henley
Hoffman
Jenkins
John
Jones
Killen
Kirby
Lawson
Lyons
Malone
Maner
Mastin
Moore
McCrory
Oliver

Parker
Pearson
Peete
Power
Pratt
Pugh
Ragsdale
Rainer
Rice
Rowe
Sample
Seale
Sherrod
Thompson
Tunstall
Turner
Vann
Weaver
Wolff

—57.

S. 450. To refund to Selma mortgage tax paid by it on the deed of trust made by it to the Chicago Title & Trust Company to secure the Selma water works bonds.

Was read a third time, at length, and passed.

Yeas 55; nays, 1.

Yeas:

Messrs:—

Speaker
Alford
Altman
Arnold
Avery
Baltzell
Barton
Benson
Bloch
Brown
Bulger

Burney
Cooper
Crum
Dudley
Edwards
Elrod
Foster
Fuller
Glover
Goodwyn
Gunter

Haley
Henley
Jenkins
John
Jones
Killen
King
Kirby
Lawson
Lyons
Malone

Maner	Power	Sanders
Mastin	Pratt	Sanford
Moore	Pugh	Seale
Norville	Ragsdale	Turner
Oliver	Rainer	Vann
Parker	Rice	Weaver
Peete	Rowe	Wolff
Pitts (Dallas)		

—55.

Nays:

Mr. Cannon

—1.

H. 1215. For the relief of J. W. T. Abernathy, an ex-confederate soldier of Chambers county.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Elrod	Lee (Etowah)
Alford	Foster	Lee (Houston)
Altman	Fuller	Moore
Arnold	Glover	Oliver
Arrington	Gunter	Parker
Avery	Haley	Pearson
Baltzell	Henley	Peete
Barton	Hughston	Power
Benners	Jenkins	Pugh
Benson	John	Ragsdale
Bloch	Johnson	Rainer
Brown	Jones	Rice
Bulger	Killen	Rowe
Burney	King	Sample
Cannon	Kirby	Turner
Cooper	Lacy (Walker)	Vann
Cranford	Lancaster	Weaver
Crum	Lawson	Wolff
Dudley	Lee (Barbour)	

—56.

H. 970. To prohibit the sale, giving away, or otherwise disposing of beer, whiskey, or other intoxicating drinks or beverages, within one mile of the Barkerville

Baptist church at Pritchard, in Mobile county, Alabama, and to provide a penalty for a violation of this act.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Oliver
Alford	Jenkins	Pearson
Altman	John	Power
Arnold	Jones	Pratt
Avery	Killen	Pugh
Baltzell	King	Ragsdale
Barton	Kirby	Rainer
Benness	Lawson	Rice
Bulger	Lee (Barbour)	Rowe
Burney	Lee (Etowah)	Rushton
Cannon	Lee (Houston)	Sample
Cooper	Long (Butler)	Sanders
Cranford	Long (Morgan)	Seale
Crum	Malone	Thompson
Dudley	Mastin	Turner
Elrod	Moore	Vann
Fuller	McDuffie	Weaver
Glover	McMillan	Wolff
Gunter	Norville	

—56.

H. 1347. To allow the circuit clerk of Lamar county an assistant clerk.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Bloch	Elrod
Alford	Brown	Foster
Altman	Burney	Fuller
Arnold	Cannon	Glover
Avery	Cooper	Goodwyn
Baltzell	Cranford	Gunter
Barton	Crum	Haley
Benson	Edwards	Henley

Hoffman	Maner	Rowe
Jenkins	Mastin	Sanford
John	Moore	Sample
Johnson	Parker	Sherrod
Jones	Pearson	Tunstall
Killen	Peete	Turner
King	Power	Vann
Kirby	Pratt	Weaver
Lawson	Pugh	White (Lamar)
Lyons	Rainer	Wolff
Malone	Rice	

—56.

On omition of Mr. Jenkins, the bill, H. 593, was taken from the adverse calendar and recommitted to the standing committee on Education.

S. 526. To regulate the fine and forfeiture fund of Montgomery county, and provide for the registration and payment of claims against said fund.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	McCrory
Alford	Glover	Oliver
Altman	Goodwyn	Parker
Armstrong	Gunter	Peete
Arnold	Haley	Power
Arrington	Henley	Pratt
Avery	Hoffman	Pugh
Baltzell	Jenkins	Rainer
Barton	John	Rice
Benson	Jones	Sample
Bloch	Killen	Sherrod
Burney	Kirby	Smith (Lee)
Cannon	Lawson	Steagall
Cooper	Lyons	Turner
Cranford	Malone	Vann
Crum	Maner	Weaver
Dudley	Mastin	Williams
Elrod	Moore	Wolff
Foster		

—56.

H. 1234. To authorize and direct the court of county commissioners of Crenshaw county to pay for advertising the notice and substance of local bills introduced in the legislature for said county, out of any money in the treasury not otherwise appropriated, when the bill applies to the entire county and ordered published by the representative of said county and this act shall apply to and include the notice and substance of bills advertised at and during the present session of the legislature.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Oliver
Alford	Gunter	Parker
Altman	Haley	Peete
Arnold	Henley	Power
Arrington	Hoffman	Pratt
Avery	Jenkins	Rainer
Baltzell	John	Rice
Barton	Johnson	Rowe
Benson	Jones	Rushton
Bloch	Killen	Sample
Brown	King	Sanford
Burney	Kirby	Seale
Cannon	Lancaster	Sherrod
Cooper	Lawson	Turner
Crum	Lyons	Vann
Dudley	Maner	Weaver
Edwards	Mastin	Williams
Elrod	Moore	Wolff
Foster	McCrory	

—56.

S. 478. To provide for the election of a harbor master and three deputy harbor masters and to regulate their duties and provide for their compensation.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Mastin
Alford	Gunter	Moore
Altman	Haley	Norville
Arnold	Henley	Oliver
Avery	Hoffman	Pearson
Baltzell	Hughston	Power
Barton	Jenkins	Pratt
Benson	John	Pugh
Bloch	Johnson	Rainer
Brown	Jones	Rice
Bulger	Killen	Rowe
Burney	King	Scale
Cannon	Kirby	Sherrod
Cooper	Lawson	Tunstall
Cranford	Long (Butler)	Turner
Crum	Long (Morgan)	Vann
Dudley	Lyons	Weaver
Fuller	Malone	Woolf
Glover	Maner	

—56.

H. 1377. To provide for the construction, repairing, working and maintaining of the public roads of Henry county, Alabama, and to provide for the levying a special property and a per capita tax for same, and for the punishment of defaulters.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Bulger	Goodwyn
Alford	Cannon	Gunter
Arnold	Cooper	Haley
Avery	Cranford	Hoffman
Baltzell	Crum	Jenkins
Barton	Dudley	John
Benson	Elrod	Jones
Bloch	Fuller	Killen
Brown	Glover	King

Kirby	McCrory	Rice
Lawson	Norville	Seale
Long (Butler)	Oliver	Sherrod
Long (Morgan)	Parker	Steagall
Malone	Peete	Tunstall
Maner	Power	Turner
Mastin	Pratt	Vann
Mitchell	Pugh	Weaver
Moore	Rainer	Woelf

—56.

S. 490. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All that part of the alleys lying and running through blocks 83, 122, 126 and 168, lying within one hundred feet of Fourteenth street and the continuation thereof, the said blocks being described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land & Improvement Co., and situated in Bessemer, Jefferson county, Ala. Also that part of the alley in block B of Hall's addition to Bessemer, map of the plan and survey of which is recorded in the office of judge of probate of Jefferson county, Alabama, in map book 3 at page 23, which lies within two hundred feet of the continuation of Fourteenth street along the northwest boundary of said block, and situated in Jefferson county, Alabama.

~~Also all that part of Exeter avenue lying within one hundred feet of Fourteenth street in the city of Bessemer, Jefferson county, Alabama. Also all that part of Seventeenth street lying between First avenue and Alabama avenue in the city of Bessemer, Jefferson county, Alabama. And also all the alleys lying within and running through blocks two hundred and one and two hundred and two in the city of Bessemer, Jefferson county, Alabama.~~

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Oliver
Alford	Fuller	Peete
Altman	Glover	Power
Arnold	Gunter	Pratt
Avery	Haley	Pugh
Barton	Hoffman	Rainer
Benners	Jenkins	Rice
Benson	John	Rushton
Bloch	Killen	Sample
Brown	Kirby	Sanford
Bulger	Lacy (Walker)	Seale
Burney	Lyons	Steagall
Cannon	Malone	Thompson
Cooper	Mastin	Tunstall
Cranford	Mitchell	Turner
Crum	Moore	Vann
Dudley	McDuffie	Weaver
Edwards	McMillan	Woolf
Elrod	Norville	

—56.

S. 574 1-2. To ratify and confirm and legalize all warrants heretofore issued by the court of county commissioners of Wilcox county for the use and benefit of the underwriters of the Camden branch of the Louisville and Nashville railroad.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Benners	Crum
Alford	Benson	Elrod
Altman	Bloch	Foster
Armstrong	Brown	Gunter
Arnold	Bulger	Haley
Arrington	Burney	Henley
Avery	Canuon	John
Baltzell	Cooper	Johnson
Barton	Cranford	Jones

Killen	McMillan	Rowe
Kirby	Oliver	Sanford
Lacy (Walker)	Parker	Seale
Lancaster	Pearson	Sherrod
Lawson	Peete	Thompson
Lovelady	Power	Tunstall
Malone	Pratt	Turner
Maner	Pugh	Vann
Mastin	Rainer	Weaver
McDuffie	Rice	Woolf

—56.

S. 575. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county, or other authorized agents of said county, borrowing money for the use and benefit of said county and to ratify and confirm the warrants given for money so borrowed and for the interest thereon, and for warrants heretofore issued for said purpose.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Cranford	Maner
Alford	Crum	Mastin
Altman	Edwards	McMillan
Armstrong	Elrod	Oliver
Arnold	Foster	Parker
Arrington	Fuller	Pearson
Avery	Glover	Peete
Baltzell	Goodwyn	Power
Barton	Gunter	Pratt
Benners	Haley	Pugh
Benson	John	Rattray
Bloch	Jones	Rice
Brown	Killen	Rowe
Bulger	Kirby	Sample
Burney	Lawson	Seale
Cannon	Lyons	Sherrod
Cooper	Malone	Thompson

Tunstall
Turner

Vann
Weaver

Woolf

—56.

S. 491. To vacate and annul the dedication of the following highways and parts of highways situated in Birmingham, Jefferson county, Alabama, to-wit: All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property. All of Eighth street from First avenue north, to the right of way of the Alabama Great Southern Railroad Company. All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron and Railroad Company.

Was read a third time, at length, and passed .

Yeas, 56; nays, 0.

Yeas:

Messrs :—	Dudley	Oliver
Speaker	Edwards	Peete
Alford	Elrod	Power
Altman	Foster	Pratt
Arnold	Fuller	Pugh
Arrington	Glover	Rainer
Avery	Goodwyn	Rice
Baltzell	Gunter	Rowe
Barton	Haley	Sanford
Benners	Henlev	Seale
Benson	Hughston	Sherrod
Bloch	Jenkins	Smith (Lee)
Brown	John	Steagall
Bulger	Jones	Thompson
Burney	Killen	Tunstall
Cannon	Long (Butler)	Turner
Cooper	Long (Morgan)	Vann
Cranford	Lyons	Weaver
Crum	Malone	Woolf

—56.

H. 997. To amend section fourteen (14) of an act, entitled an act to provide for the more efficient working and keeping in repair of the public roads of Morgan county; and to locate, construct, repair and keep in proper condition within the limits of said county, a system of public roads of a superior grade, to be known as the county roads of said county, approved February 28th, 1901.

Was read a third time, at length, and passed .

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Oliver
Alford	Glover	Parker
Altman	Gunter	Pearson
Armstrong	Henley	Peete
Arnold	Hughston	Pitts (Perry)
Arrington	Jenkins	Power
Avery	John	Pratt
Balzell	Jones	Ralner
Barton	Killen	Rice
Benners	Kirby	Rowe
Benson	Lacy (Walker)	Seale
Bloch	Lancaster	Sherrod
Brown	Lawson	Tunstall
Bulger	Long (Morgan)	Turner
Burney	Lyons	Vann
Cannon	Maner	Weaver
Cooper	McMillan	Williams
Crum	Norville	Woolf
Elrod		

—56.

H. 1379. To repeal an act to regulate the salaries of teachers in public schools outside of any incorporated towns in Walker county, Alabama, approved March 5th, 1901.

Was read a third time, at length, and passed .

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Elrod	Malone
Alford	Foster	Maner
Altman	Fuller	Mastin
Arnold	Glover	Mitchell
Avery	Gunter	Moore
Baltzell	Haley	McCrary
Barton	Henley	Oliver
Benness	Hoffman	Parker
Benson	Hughston	Pearson
Bloch	Jenkins	Peete
Brown	John	Pitts (Dallas)
Bulger	Johnson	Power
Burney	Jones	Pratt
Cannon	Killen	Pugh
Cooper	Kirby	Rainer
Cranford	Lacy (Walker)	Rice
Crum	Lawson	Rowe
Dudley	Lyons	Sample
Edwards		

—56.

H. 977. To authorize the board of revenue and road commissioners of Mobile county to issue bonds for the purpose of improving the harbor and river front at Mobile, Alabama.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Burney	Gunter
Alford	Cooper	Haley
Arnold	Cranford	Henley
Avery	Crum	Hoffman
Baltzell	Dudley	Jenkins
Barton	Edwards	John
Benson	Elrod	Jones
Bloch	Foster	Killen
Brown	Fuller	Kirby
Bulger	Glover	Malone

Maner	Pratt	Seale
Mastin	Pugh	Sherrod
Moore	Rainer	Thompson
Norville	Rattray	Tunstall
Oliver	Rice	Turner
Parker	Rowe	Vann
Pearson	Sample	Weaver
Peete	Sanders	Woolf
Power	Sanford	

—56.

S. 527. To provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery and the clerks of the city court of Montgomery and the county court in and for said county in criminal cases where the State fails to convict, out of the general fund of Montgomery county. And provide compensation for the clerk of the board of revenue for services required of him under this act.

Was taken up. Mr. Goodwyn offered the following amendment to the bill:

Amend S. 527 by adding at the end of section one of said bill the following: "Provided that the witnesses fees shall be one dollar per day and five cents per mile under the provisions of this act."

And the amendment was adopted.

~~Yeas, 58, Nays, 0~~

Yeas:

Messrs:—

Speaker	Cranford	Henley
Alford	Crum	John
Altman	Dudley	Jones
Arnold	Edwards	Killen
Avery	Elrod	Kirby
Benson	Foster	Lacy (Walker)
Bloch	Fuller	Lyons
Brown	Glover	Malone
Bulger	Goodwyn	Maner
Burney	Gunter	Moore
Cooper	Haley	Norville

Oliver	Pugh	Seale
Parker	Ragsdale	Steagall
Pearson	Rainer	Tunstall
Peete	Rice	Turner
Pitts (Perry)	Rowe	Vann
Power	Sample	Weaver
Pratt	Sanders	Woolf
Price	Sanford	

—56.

And the bill:

S. 527. To provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery and the clerks of the city court of Montgomery and the county court in and for said county in criminal cases where the State fails to convict, out of the general fund of Montgomery county. And provide compensation for the clerk of the board of revenue for services required of him under this act.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Pearson
Altman	Gunter	Peete
Arnold	Haley	Pitts (Dallas)
Baltzell	Henley	Power
Barton	Hoffman	Pratt
Benners	Jenkins	Pugh
Benson	John	Rainer
Brown	Johnson	Rattray
Bulger	Jones	Rice
Burney	Lacy (Walker)	Rowe
Cooper	Lancaster	Sample
Cranford	Lawson	Sanders
Crum	Lyons	Sanford
Doyle (Clark)	Malone	Seale
Elrod	Moore	Sherrod
Foster	Oliver	Smith (Lee)
Glover	Parker	Thompson

Tunstall
Turner

Vann
Weaver

Williams

—56.

S. 479. To provide for the more efficient working of the public roads in Mobile county and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners of Mobile county; to provide the duties and fix the authority of said board; and provide for the levy and collection of a road tax and the method of disbursing moneys necessary to carry out the provisions of this act, and provide penalties for violations of its provisions.

Was taken up. Mr. Hoffman offered the following amendment to the bill:

Amend section 2 by making same read that the salary "of said superintendent" shall be fixed by said board but the same shall not be less than eighteen hundred dollars per annum.

And the amendment was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Mitchell
Altman	Gunter	Moore
Avery	Haley	Norville
Barton	Kenney	Oliver
Benners	Hoffman	Parker
Benson	Jenkins	Peete
Bloch	John	Pitts (Dallas)
Brown	Johnson	Pitts (Perry)
Bulger	Jones	Pratt
Burney	Killen	Pugh
Cooper	King	Rainer
Crum	Kirby	Rattray
Dudley	Lacy (Walker)	Rice
Elrod	Lancaster	Rowe
Foster	Lawson	Sample
Fuller	Malone	Sanders

Seale
Smith (Lee)
Thompson

Tunstall
Turner
Vann

Weaver
White (Lamar)
Williams

—56.

And the bill:

S. 479. To provide for the more efficient working of the public roads in Mobile county and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners of Mobile county; to provide the duties and fix the authority of said board; and provide for the levy and collection of a road tax and the method of disbursing moneys necessary to carry out the provisions of this act, and provide penalties for violations of its provisions.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Pratt
Altman	Henley	Pugh
Avery	Hoffman	Rainer
Benners	Jenkins	Rattray
Benson	John	Rice
Bloch	Jones	Rowe
Brown	Killen	Sample
Bulger	Lacy (Walker)	Sanders
Burney	Lawson	Seale
Cooper	Malone	Sherrod
Crum	Moore	Smith (Lee)
Doyle (Clark)	McCrory	Steagall
Doyle (Marengo)	Norville	Tunstall
Dudley	Oliver	Turner
Edwards	Parker	Vann
Elrod	Peete	Weaver
Fuller	Pitts (Dallas)	White (Perry)
Glover	Pitts (Perry)	Williams
Gunter	Power	

—56.

H. 1242. To establish an inferior court in precinct 45, in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public, with powers of justices of the peace, in said precinct, and to define the jurisdiction and powers of said court and of the judges thereof.

Was taken up. Mr. Haley offered the following substitute for the bill, H. 1242:

A BILL

To be entitled an act to establish an inferior court in precinct 45, in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public, with powers of justices of the peace, in said precinct, and to define the jurisdiction and powers of said court and of the judges thereof.

Section 1. Be it enacted by the Legislature of Alabama, That there is hereby established an inferior court in precinct 45, in Jefferson county, Alabama, which shall be known and designated as the inferior court of Ensley. The said court shall have all the power and jurisdiction now conferred by law on justices of the peace of said precinct, or that may hereafter be conferred by law on the justices, or on said court, and the judge of said court shall have and exercise all of the power and authority and perform all the duties now prescribed by law, or that may hereafter be provided by law for justices of the peace in said precinct.

Section 2. That there shall be a judge of said court, in said precinct, who shall have been a resident of Jefferson county for more than one year next before his election or appointment to said office, and who shall hold his office for a term of four years, and until his successor is elected and qualified. At the general election to be held in the year 1908, and each four years thereafter shall be elected a judge of said court by the qualified electors of said precinct. All vacancies in the office of the judge of said court shall be filled by appointment of the governor.

Section 3. That the judge of said court shall receive a salary of eighteen hundred dollars per annum, pay-

able monthly out of the county treasury upon his warrant drawn upon the county treasurer.

Section 4. That the judge of said court shall appoint a clerk therefor who shall give bond in the penal sum of two thousand dollars, payable to the county of Jefferson, and conditioned to faithfully discharge the duties of his office, which said bond shall be approved by and filed in the office of the judge of probate of said county, and also conditioned to pay over all money to the proper officers and persons to whom it is payable, and to faithfully account for all moneys coming into his hands by virtue of his office. Said clerk shall receive a salary of nine hundred dollars per annum, payable out of the county treasury in monthly installments upon his warrant drawn upon the county treasurer. The clerk of said court shall issue all processes issuing out of said court, except warrants of arrests and writs of commitment, which shall be issued by the judge of said court; and shall keep a docket of the proceedings of the court and shall certify all appeals and certiorari; but all judgments and orders shall be signed by said judge. The fees and costs that are now allowed by the law to justices of the peace in said precinct shall be taxed and collected as now provided by law in such cases, and shall by the clerk of said court be paid into the county treasury; the constable of said precinct, and the sheriff of said county shall be officers of said court, and shall execute all processes from said court, and make due return thereof, and for their compensation shall receive the same fees and emoluments as are now provided by law for like services in the courts of the justices of the peace in said precinct, which said fees shall be paid to the sheriff and constable, and not into the county treasury.

Section 5. That the judge of said court may punish for contempt in cases where the judge of the circuit court can punish for contempt, by a fine not exceeding ten dollars, and by imprisonment not exceeding five days, the said judge shall be a conservator of the peace, and shall have the power as a committing magistrate in the same cases as now provided by law for justices of the

peace in said precinct, and may take affidavits and issue warrants in felony cases returnable before himself or other magistrate having jurisdiction thereof, and may also take affidavits and issue warrants for misdemeanors directly returnable to any court having final jurisdiction thereof, and for his services in taking affidavits and issuing warrants he shall be entitled to the compensation now provided, which shall be taxed and collected as such costs are now taxed and collected in criminal cases.

Section 6. That the law regulating appeals and certioraris of cases from the courts of justices of the peace shall be applied to the appeal and certiorari cases from the court established by the provisions of this act.

Section 7. That said court shall have jurisdiction in all civil cases to the amount of one hundred dollars, except in cases of libel, slander, assault and battery and ejectment within said precinct, and such jurisdiction as justices of the peace now have in said precinct. At the expiration of the terms of office of the present justices of the peace and notaries public, with powers of justice of the peace, within said precinct, there shall thenceforth be no justices of the peace or notaries public, with powers of justices of the peace elected or appointed for said district, and the terms of office of all justices of the peace and notaries public, exercising the powers of justices of the peace, shall not extend beyond the general election of county officers in 1908.

Section 8. That the judge of said court shall be liable for impeachment for the same causes and in the same manner as now provided by law for justices of the peace.

Section 9. That the judge of said court shall have the power to issue a restraining order to any justice of the peace of said county, or notary public, with powers of justice of the peace of said county, who assume to exercise any of the exclusive jurisdiction of said court, and any such justice of the peace exercising or attempting to exercise such jurisdiction, may be required to show cause before the judge of said court why he should

not be punished for contempt for disobedience to such restraining order.

Section 10. That upon expiration of terms of office of all and each of the justices of the peace and notaries who are ex-officio justices of the peace in precinct 45 in Jefferson county, the dockets, official papers and records of all kinds of their respective offices shall be delivered to the clerk of the court hereby established, and all causes pending in said court shall be by such delivery transferred to the court hereby established, and executions and other processes for the collection for the judgments of said courts, may be issued from said inferior court, including executions for costs, and upon the collection of costs in any cause accrued before said transfer the clerk of said inferior court shall pay such costs to justices of the peace or constables, or other persons or officers entitled to the same, and shall take a receipt therefor, which shall be entered on the docket of said cause.

Section 11. That it shall be the duty of the auditor of Jefferson county to audit the accounts of the said inferior court, and the clerk shall keep a fee docket containing an itemized statement of all costs taxed in each cause, the costs collected, and within ninety days after any final judgment in any cause an entry showing substantially the return of the constable or sheriff of the execution or other process for the collection of said judgment or costs, and on the first days of January, April, July, and October of each year, shall file with the auditor of Jefferson county a statement from said docket showing the amount of costs collected and in what causes, together with the substance of the return of the constable or sheriff of the process for its collection.

Section 12. That it shall be the duty of the clerk of said court to issue an execution on all judgments rendered in said court, after five days from the entry thereof, and to place the same in the hands of the constables or sheriff, who shall return said execution within sixty days thereafter, said return to show that he has collected said judgment, and has paid the same or the

amount collected, or that he is unable to find property of the person against whom said process issued, out of which said execution can be satisfied in whole or in part.

Section 13. That the judges of said court shall be empowered to select a suitable place for holding said court, and that the expenses of said court for the rent of the court room, fuel and stationery and lights not to exceed in all the sum of thirty dollars per month, which shall be allowed by the board of revenue of the said county, payable out of the county treasury.

Section 14. That if it shall appear to the auditor that in any case in said court where an execution has been returned unsatisfied as to the costs of said cause, and in the opinion of the auditor, said costs can be collected by an alias execution, the auditor may direct the clerk of the court to issue such alias execution, and may direct the constable or sheriff as to what property can be levied upon to satisfy said judgment.

Section 15. That in each case filed in said court, there shall be a fee of fifty cents taxed, which shall be taxed and collected as other costs are collected, and shall be with other costs paid into the county treasury.

Section 15 1-2. That the probate judge of Jefferson county, Alabama, is hereby empowered to appoint a judge pro tem of said court, whenever the clerk of said court shall certify to him that the judge is absent from said precinct, or for any other cause he is unable to hold said court, and said judge pro tem shall hold office during the absence or disability of said judge, and shall for the time, while acting as such judge pro tem receive the same compensation as the regular judge of said court, and payable in the same manner.

Section 16. That all laws affecting or regulating the practice of courts of justices of the peace shall be applicable to the court hereby established.

Section 17. That all laws, parts of laws, general, local or special, in conflict with the provisions of this act, be, and the same are hereby repealed. Provided, that this act shall not go into effect until the general election in 1908.

Provided that this act shall not go into effect unless at an election to be held in said precinct on the first Monday in October, 1908, a majority of the qualified electors voting at said election shall vote in favor of the establishment of said court in said precinct, which said election shall be held as other special elections are held in this State and provided, that no official ballot shall be provided but that the managers of said election shall receive ballots of the electors and ascertain the result, regardless of the regularity of the ballots.

And the substitute was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Power
Alford	Hughston	Pratt
Arnold	Jenkins	Pugh
Avery	John	Ragsdale
Benners	Jones	Rainer
Benson	Kalien	Rice
Bloch	King	Rowe
Brown	Kirby	Sanders
Burney	Lacy (Walker)	Seale
Cooper	Lawson	Sherrrod
Cranford	Malone	Smith (Lee)
Crum	Mitchell	Steagall
Doyle (Clark)	Moore	Thompson
Dudley	Oliver	Turner
Edwards	Parker	Vann
Elrod	Pearson	Weaver
Fuller	Peete	White (Perry)
Glover	Pitts (Dallas)	Woolf
Goodwyn	Pitts (Perry)	

—56.

And the bill:

H. 1242. To establish an inferior court in precinct 45, in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public, with powers of justices

of the peace, in said precinct, and to define the jurisdiction and powers of said court and of the judges thereof.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	John	Pratt
Altman	Johnson	Pugh
Avery	Jones	Rainer
Benners	Killen	Rattray
Benson	King	Rice
Bloch	Lacy (Walker)	Rowe
Bulger	Lawson	Sample
Burney	Long (Butler)	Sanders
Cooper	Long (Morgan)	Seale
Crum	Malone	Sherrod
Doyle (Clark)	Mitchell	Smith (Lee)
Dudley	Moore	Thompson
Edwards	Norville	Tunstall
Foster	Oliver	Turner
Fuller	Parker	Vann
Glover	Peete	Weaver
Haley	Pitts (Dallas)	Williams
Henley	Pitts (Perry)	Wolf
Jenkins	Power	

—56.

ADJOURNMENT.

On motion of Mr. John, the House adjourned until 8:30 Monday.

FORTY-SIXTH DAY.

House of Representatives,
Monday, July 29, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by the Rev. Mr. Malone, of the House.

ROLL CALL.

On a call of the roll, the following members answered to their names:

Messrs:—

Speaker	Elrod	Maner
Alford	Fuller	Mastin
Altman	Glover	Middleton
Arnold	Goodwyn	Mitchell
Arrington	Gunter	Moore
Avery	Haley	McCrory
Ballard (Autauga)	Hoffman	McDuffie
Ballard (Pike)	Hughston	McMillan
Baltzell	Jenkins	Norville
Barton	John	Oliver
Benners	Johnson	Parker
Benson	Killen	Pearson
Bloch	King	Peete
Brown	Kirby	Pitts (Perry)
Bulger	Ko. negay	Powell (Bullock)
Burney	Lacy (Walker)	Powell (Covington)
Cannon	Lancaster	Power
Carmichael (Clay)	Lawson	Pratt
Coleman (Marshall)	Lee (Barbour)	Pugh
Cooper	Lee (Etowah)	Ragsdale
Cranford	Lee (Houston)	Rainer
Crum	Long (Butler)	Rattray
Doyle (Clark)	Long (Morgan)	Rice
Doyle (Marengo)	Lovelady	Rowe
Dudley	Lyons	Rushton
Edwards	Malone	Sample

Sanders	Smith (Lee)	Vann
Seale	Steagall	Weaver
Sherrod	Thompson	White (Lamar)
Smith (Elmore)	Tunstall	White (Perry)
Smith (Etowah)	Turner	Williams
Smith (Franklin)	Urquhart	Woolf

—96.

A quorum was present.

JOURNAL.

The chairman of the standing committee on the Revision of the Journal made the following report:

Mr. Speaker:

Your committee on the Revision of the Journal beg leave to report as follows:

We have examined the journal for the Forty-fifth day and find the same to be correct. H. B. Steagall,
Chairman.

The report of the committee was concurred in and the journal of the 45th day was approved.

LEAVE OF ABSENCE

Was granted to Messrs. Henley, Pitts of Dallas, and Armstrong for today.

BILLS ON SECOND READING.

Mr. Ragsdale, chairman of the standing committee on Public Health, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report:

S. 347. To establish and maintain a State sanatorium for consumption and tuberculosis, and to provide for disseminating information upon the nature, treatment and cure of tubercular diseases, and to make appropriations therefor.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

H. 1334. To amend sections 3 and 4 of an act entitled "To amend sections 4, 5, 6, 7, 8, 9, 10, 16, 18 and 20 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows," approved February 10, 1899, approved March 4, 1901.

H. 1173. To appropriate the sum of \$537.72 to pay the expenses of the fertilizer and cotton seed oil mill investigating committee and for the disbursement of the same.

S. 562. For the relief of Chas. G. Abercrombie & Co. on unexpired license as future dealers.

S. 620. For the relief of J. C. Webb, Jr., and J. T. Ballow.

S. 619. For the relief of J. T. Ballow.

S. 603. To reimburse the governor's contingent fund the amount expended therefrom in paying the funeral expenses of the late Wm. L. Martin, who at the time of his death was Speaker of the House of Representatives, and to make an appropriation therefor.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report with an amendment:

S. 571. (With amendment.) For the relief of Jno. S. Bonner, a disabled and ex-confederate soldier of Pickens county, Ala.

Mr. Haley, chairman of the standing committee on Local Legislation, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

S. 581. To require the tax assessor of Mobile county to make a lot book for the years 1906, 1907, and each year thereafter, showing in abstract form all legal subdivisions which have been or which may hereafter be made of all property in Mobile county, and the name of the person, firm or corporation to whom each lot or subdivision is assessed, for the said years; and to provide compensation therefor.

S. 596. To repeal an act to repeal sections 3957, 3958, 3959, 3960, 3961, 3962 and 3963 of the Code of Alabama of 1896, in so far as the same apply to Jackson county, approved Oct. 13, 1903.

S. 557. To create the office of official stenographer for Walker county, Alabama, to provide for his appointment, fix his compensation and define his duties, and provide for special stenographers in certain cases.

S. 583. To authorize the court of county commissioners of Perry county, Alabama, to fix the ex-officio fees of the sheriff of said county.

H. 1358. To better provide for the payment of witnesses in criminal cases who are summoned and appear for the State in the several courts of Walker county.

S. 585. To authorize and empower the court of county commissioners of Butler county to employ a janitor for Butler county, who shall be under the control and direction of the sheriff of Butler county, to prescribe his duties and to provide for the payment of such janitor.

S. 588. To authorize and empower the court of county commissioners of Butler county to contract for and place in the office of the various officers of said county, telephones, writing machines and other mechanical devices as in the opinion of the said court of county commissioners is necessary or expedient and to contract for and place in the jail and poor houses of said county such telephones, as may be necessary.

Mr. Haley, chairman of the standing committee on Local Legislation, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report with an amendment:

S. 506. (With amendment.) To amend section 1372 of the Code of 1896, of the State of Alabama.

S. 488. (With amendment.) To increase the salary of the solicitor of the county of Etowah, as now fixed by law, and to fix the same and to provide for its payment.

Mr. Weaver, acting chairman of the standing committee on Revision of Laws, reported that said commit-

tee in session had acted on the following bill and ordered same returned to the House with a favorable report:

H. 1392. To amend section 4715 of the Code of Alabama 1896 as amended by an act approved Feby. 21, 1899.

Mr. Lee, of Etowah, chairman of the standing committee on Education, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report with amendment:

H. 945. (With amendment.) To create and establish a reform school for the training of colored boys.

S. 384. (With amendment.) To provide for the establishment of high schools in this State, and to make appropriations for said schools.

Mr. Lee, of Etowah, chairman of the standing committee on Education, reported that said committee in session had acted on the following bills and ordered same returned to the House with a favorable report:

H. 593. To confirm and ratify the lease of the northeast quarter of section sixteen of township five, south, of range two, east, by the board of education of Baldwin county, Alabama.

S. 371. To amend section 4 (section 398) of an act entitled an act to amend section 382, 383, 384 and 398 of the Code of Alabama.

Mr. Haley, chairman of the standing committee on Local Legislation, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report, with substitute:

S. 542. (With substitute.) To provide for the construction, repairing, working and maintaining the public roads and bridges in Madison county.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session

had acted upon the following bill and ordered same returned to the House with a favorable report with an amendment:

S. 481. (With amendment.) To provide for the contingent expenses of the attorney general.

Mr. Woolf, chairman of the standing committee on Ways and Means, reported that said committee in session had acted upon the following bill, and ordered same returned to the House with a favorable report:

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

The above and foregoing bills were severally read a second time, and placed on the calendar.

BILLS REPORTED ADVERSELY.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session had acted upon the following bills and ordered the same returned to the House with an adverse report:

H. 858. To appropriate five hundred dollars, or so much as may be necessary for the payment of the expert accountant employed by the governor to examine the books of the Tuskegee Normal and Industrial Institute and such State officers as the governor may deem proper as provided by a joint resolution approved January 28, 1907.

H. 1146. For the relief of Samuel P. Prowell, ex-probate judge of Marengo county, Alabama, for the purpose of reimbursing him for money overpaid by him as judge of probate into the State treasury for tax on State licenses due from Marengo county for the year 1904.

Mr. Bulger, chairman of the standing committee on Federal Relations, returned to the House the H. J. R.

288 with a favorable report with the following amendment:

H. J. R. 288. Amendment by Committee:

Amend by striking out the last seven lines of the resolution and adding in lieu thereof the following:

Resolved by the House, the Senate concurring, that our Senators and Representatives in Congress be and they are hereby requested to use their most earnest efforts to secure a donation of money from the Federal government to aid in cleaning and deepening said Cahaba river from its mouth to Centreville in Bibb county, Alabama, and to surveying, locking and damming of said Cahaba river from said Centreville up to Schultz creek and to the surveying, locking and damming of said Schultz creek from its mouth up said creek to some point to be designated by the surveyor.

And the amendment reported by the committee was adopted, and the resolution as amended by the committee was adopted.

And the Senate joint resolution No. 82, relative to memorializing Congress to repeal the bankruptcy law was reported favorably by the above committee.

And the S. J. R. 82 was concurred in and adopted by the House.

INTRODUCTION OF BILLS.

On a call of the counties, bills were introduced, severally read one time, and referred to appropriate standing committees, as follows:

By Mr. Tunstall:

H. 1395. To amend section 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the several counties of the State of Alabama, approved Oct. 10, 1903.

Public Roads and Highways.

By Mr. John:

H. 1396. To extend the appropriation made for public printing and binding, including the reports of the heads of the departments, supreme court decisions, acts

and journals of the Legislature, advertisements and proclamations, done in pursuance of law for the year ending September 30, 1907.

Judiciary.

By Mr. Lyons:

H. 1397. To amend "An act to make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State, for the interest on the public debt and for public schools."

Appropriations.

RESOLUTIONS.

The following resolutions were introduced and referred to the committee on Rules:

By Mr. Maner:

H. J. R. 320. Whereas, between the years 1861 and 1868 the Federal government levied and collected from the South a cotton tax of sixty eight million dollars, and

Whereas, the levy and collection of said cotton tax was in violation of the Federal Constitution, and,

Whereas, the people of the State of Alabama paid ten million dollars of this tax,

Therefore, be it resolved, by the House, the Senate concurring therein, that we heartily endorse the bill introduced in Congress by Hon. J. Thos. Heflin of Alabama, providing for the return of this cotton tax to our people.

By Mr. Kirby:

H. J. R. 321. Resolved, that it is the sense of the House, the Senate concurring, that the governor should direct the public examiner and assistant public examiner to examine all the departments of the State, and the books of all the departments of State, which have not been examined in the last year, as early as possible and to make public the results of such examination as soon as completed.

Resolved further, that it is the sense of this House, Senate concurring, that all the departments and officers of the State department should be examined at

least once in each year, and the results of such examination be made public as soon thereafter as possible.

And in addition the governor should transmit in writing to the next Legislature a full and complete copy of all the findings of such examinations.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following resolution with a favorable report:

Rules Committee:

H. R. 322. Resolved, that the Rules committee and the chairman of the standing committees of the House prepare a calendar of all House bills of a general character in the order of their importance, and when prepared the bills shall be taken up in their order and shall be considered at the morning and afternoon sessions of the House until the 48th day.

Mr. Bulger offered the following amendment to the resolution: Amend by striking out "afternoon session".

And the amendment offered by Mr. Bulger was tabled. And the resolution, No. 322, was lost.

RESOLUTION.

The following resolution was introduced and referred to the committee on Rules:

By Mr. Pitts, of Perry:

H. R. 323. Resolved, that H. B. No. 1278, page 80 of the calendar, be made a special, paramount, continuing order and that the same be immediately called up and put on passage at four o'clock this afternoon.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in and adopted the amendments proposed by the governor to:

H. 960. To amend section 1 of an act entitled an act "to aid and encourage technical education in the State

of Alabama and the providing for the erection and equipment of buildings and increased facilities at the Alabama Polytechnic Institute," approved March 2, 1907, so as to read as follows.

Yeas, 27; nays, 0.

Which was a majority of the whole number elected to the Senate; and returns same herewith to the House.

J. A. Kyle,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has passed the following House bills:

H. 1150. To amend "An act to provide for the settlement, adjustment and refunding of the bonded indebtedness of municipal corporations."

H. 1100. To prohibit the manufacture of spirituous or malt liquors in Cherokee county.

H. 1119. To declare the ownership of all books of record, all books of every character kept by any officer of the circuit court of Henry county at Dothan and Columbia, and all papers of every character pertaining to any cause, civil or criminal, theretofore disposed of, or pending or originating in said courts and not finally disposed of, including indictments where no arrests had been made at the time of the organization of the county of Houston to be the property of Houston county and same to be kept in the office of the clerk of the circuit court of Houston county; to give the circuit court of Houston county jurisdiction of all such causes, civil or criminal, including indictments, where no arrest had been made at the time of the organization of said Houston county, except where the defendant was at the time of the commission of the offense alleged, in what is now Henry county, in which latter event the circuit court of Henry county shall have jurisdiction of the offense; to prescribe the duties and powers of the clerk of the circuit court of Houston county and of the sheriffs of their respective counties with reference to the issuance of process and the execution thereof in such causes, and to

ratify and confirm all orders and judgments and proceedings of the circuit courts of Henry and Houston counties in any of said causes, and the acts of the clerks of the circuit courts of said counties and of the sheriffs of their respective counties, within their powers and duties, in and about any of said causes, including the issuance of capias and arrests thereon, on indictments returned to said circuit courts of Henry county at Dothan and Columbia, and to declare same of legal force and effect the same as though such cases had originated in said circuit courts of Houston or Henry counties.

H. 907. To provide for the making of bonds of the State Auditor and Secretary of State through guarantee companies and to provide for the payment of the premium on same.

H. 713. For the relief of L. W. Kolb, to refund certain moneys illegally collected from him in Dale county as State license.

H. 1298. To authorize and empower the court of county commissioners of Butler county to contract for and place in the office of the various officers of said county, telephones, writing machines, and other mechanical devices as in the opinion of the said court of county commissioners is necessary or expedient and to contract for and place in the jail and poor houses of said county such telephones as may be necessary.

H. 896. To repeal an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large.

H. 1053. To alter and rearrange the boundaries of the town of Pollard, extending the corporate limits of said town.

H. 913. For the maintenance, improvement and protection of the public roads and bridges of Cullman county, Alabama, and to provide for a special road tax therefor; also, for the purchase of implements, teams and other things necessary in the construction and improvement of the same; to pay for the same either out of the general fund for the county, or the special road

and bridge fund; to provide for the appointment by the commissioners' court of said county, of a road superintendent or superintendents and surveyor or surveyors, fixing their pay, defining their duties, and conferring special powers on the commissioners' court of said county; providing for the method of employing hands and how certain parties may be required to take out a license for the use of said public roads; providing the method of appointing apportioners and overseers and defining their duties, and how they can be excused from serving as such; defining the road year and those liable to road duty, the time they may be required to work; prescribing the manner in which they may pay in lieu of work to the tax collector of said county, and his duty as to same,—and the method of warning hands, and defining those who are exempt from road duty.

H. 1089. To require one round to be made by the tax collector and tax assessor of Blount county for the purpose of assessing and collecting taxes, said round to begin the first Monday of November of every year.

H. 901. To authorize the court of county commissioners of Clay county, Alabama, to pay, annually, on claims for public roads and bridges, an amount, out of the general fund of said county, not to exceed one-fifth of said general fund, levied and collected in any one year.

H. 885. To amend an act entitled "~~An act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within one mile of Old Mount Zion Baptist church, Barbour county,~~" approved February 9th, 1897, and to provide a penalty for the violation of this act.

H. 1259. To amend sections 4, 13, 20, 17, 24, 25, and by adding section 28 1-2 to the provisions of an act entitled "An act to provide a road law for the county of Marengo, and to enforce the same," approved February 26, 1907.

H. 899. To validate claims against Clay county, Alabama, for work and labor and material or supplies furnished said county under provisions of the recent Clay

county road law which has been declared unconstitutional, and authorize the commissioners' court to audit and allow such claims as preferred claims against the general fund of said county, and direct payment of same.

H. 1042. To repeal an act entitled "An act to increase the number of grand and petit jurors in Winston county," approved February 7th, 1885.

H. 920. To amend section nine of an act entitled an act to authorize all incorporated towns and cities in Elmore county to establish and operate dispensary or dispensaries in such incorporated towns or cities, for the purpose of buying and selling spirituous, vinous or malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the selling of such liquors in such county, approved February 9, 1907.

H. 1191. To provide that the sheriff of Bullock county, Alabama, shall receive for "impaneling grand juries, advertising and attending all elections in his county, and for all other public service not otherwise provided for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury, not exceeding five hundred (\$500.00) dollars per annum."

H. 836. To amend an act, entitled an act to establish a separate school district, to be known as the Bethel school district, composed of a portion of Colbert, Lawrence and Franklin counties, Alabama, approved February 15th, 1899.

H. 1267. To provide for the payment by the court of county commissioners of Bullock county, Alabama, out of the county treasury for removal fees, mileage and per diem for the removal of persons charged with misdemeanor.

H. 990. To require the tax assessor and tax collector of Morgan county, Alabama, to make their round as required by law together, and providing notice of said round.

H. 1139. To repeal an act entitled, "An act to better provide for the working and maintenance of the public

roads of Chambers, Lamar, Lawrence, Lowndes, Clay and Cleburne counties," approved February 18th, 1899, so far as the same relates to Lamar county.

H. 1030. To amend section two, twenty-seven and thirty-three of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900, and to amend section one of an act approved February 15th, 1901, entitled an act to amend sections 8, 9, and 26 of an act entitled an act to establish the Walker county law and equity court, approved December 5, 1900.

H. 1038. To authorize the court of county commissioners of Wilcox county to purchase or acquire three or more ferries along the Alabama river in said county; to operate and maintain same for the public use.

H. 1039. To authorize the court of county commissioners of Wilcox county to borrow money, not exceeding one-half of the county revenue of said county per annum.

H. 971. To provide for the compensation of the solicitor for Mobile county, to be elected in 1910, and his successors in office.

H. 925. To provide for the working of the public roads of Hale county, Alabama, for levying a tax for same and how same shall be expended.

H. 1018. To authorize an election in the county of Talladega, to determine whether or not bonds in the sum of ~~two hundred and fifty thousand~~ dollars shall be issued by said county for the purpose of building ~~macadam~~, chert and gravel public roads therein.

H. 1017. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads, and the necessary bridges, culverts and drainways therefor, and to issue bonds of said county to aid in the construction and building thereof.

H. 965. To fix the times and places of holding the chancery court in the Eighth district of the Northern division, composed of the county of Madison.

H. 966. To amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26th, 1907.

H. 889. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

H. 1190. To repeal an act approved September the 30, 1903, entitled an act to provide a better system, and the more efficient working of the public roads of Bullock county.

H. 1082. To amend section 4 and section 12 of an act entitled an act to better provide for the maintaining and keeping in repair the public roads of Escambia county, approved September 17, 1903.

H. 832. To vacate the dedication of all that part of Charles avenue lying north and east of the eastern line of Twelfth street as now located between avenues "H" and "I" in the city of Birmingham, Jefferson county, Alabama, and which was dedicated as a public highway.

H. 1219. To increase the salary of the solicitor of Jefferson county to the sum of four thousand five hundred dollars per annum, and provide for the payment of said salary.

H. 1102. To amend sections 8 and 10 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield, and towns of Leighton and Cherokee, in Colbert county, to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved February 15, 1907, and to amend said act by adding sections 19 and 20 thereto.

H. 1112. To provide for the better construction, repairing, working and maintaining the public roads and bridges in Franklin county, Alabama.

H. 884. To authorize the board of mayor and aldermen of the city of Tuscaloosa to maintain or contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, for the benefit of the public, and to prescribe rules for the government of same, and to pay out of the general fund of the city such sums of money as

the said city board deems necessary for the maintenance, or part maintenance of said wagon yard or lot.

H. 1218. To fix the time for the election of the solicitor of Jefferson county.

H. 950. To vacate and annul Stollenwerck avenue as shown on map of Village Creek Land Company's survey in Jefferson county, Alabama, as a public street or highway, and to annul and extinguish the dedication thereof.

H. 951. To vacate and annul Fifth street between Second and Third avenues; Sixth street between Second and Third avenues; Third avenue between Fourth and Sixth streets; the alley extending north and south in block eleven, and the alley running east and west in block eleven, in the Pratt Land and Improvement Company's survey of East Thomas, Jefferson county, Alabama.

H. 133. To amend an act entitled "An act to establish an inferior court in precincts 21 and 37 in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precincts and to define the jurisdiction and powers of said court and the judges thereof," approved September 26th, 1903.

H. 934. To repeal an act entitled, "An act to provide for the establishing of a separate school district to be known as the North Birmingham district in Jefferson county, Alabama, and to provide for the selection of a board of trustees for said school district with certain duties and powers," approved March 4th, 1901.

H. 1095. To require the tax assessor and tax collector of Calhoun county, Alabama, to visit the voting places in each precinct in Calhoun county, Alabama, once each year for the purpose of assessing and collecting taxes. That said tax assessor and tax collector shall each keep his office open at the court house of said county from October the 1st to December the 31st of each year.

H. 1016. To repeal an act entitled an act to establish, maintain and regulate a dispensary in the town of Ragland, in St. Clair county, Alabama, for the sale of

spirituous and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors, and to create a board of directors for the purpose of better controlling and managing the sale of spirituous and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors and for other purposes.

H. 1010. To ratify and confirm the acts and contracts of the court of county commissioners of Russell county, and other authorized agents of said county, in borrowing money for the use and benefit of said county, and to ratify and confirm the warrants given on said contracts for money so borrowed.

H. 1099. To amend section 3 of an act entitled "An act to establish a separate school district in Clarke county, Alabama, to be known as the Grove Hill school district and to provide for the maintenance of the same, approved March 4th, 1901."

H. 1009. To authorize the county of Russell to borrow money not exceeding the current revenue of said county for any one year, in the discretion of the court of county commissioners of said county.

H. 1004. To repeal an act entitled an act to establish and define the boundary lines of Spring Hill school district, Pike county.

H. 1301. To prohibit the sale, barter, exchange or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages in the county of Houston, in the State of Alabama; and to provide for an offense and a penalty for the sale, barter, exchange, or giving away of vinous, spirituous or malt liquor, or other intoxicating drinks or beverages in the said county of Houston.

H. 917. To prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters or beverages, in Dale county, Alabama.

H. 1013. To provide for the payment out of the county treasury of Shelby county, Alabama, the sum of \$336.91 as salary or compensation and expenses of the State examiner while engaged in making an examination of the books and accounts of the various county officers of said county of Shelby as they pertain to the

county affairs, and to make said claim a preferred claim against said treasury.

H. 1044. To alter or change the boundary line between the counties of Etowah and Calhoun in the State of Alabama, and as altered to establish the same.

H. 870. To repeal an act entitled "An act to establish the county court of Coffee for Coffee county with criminal jurisdiction in misdemeanor cases," approved February 8th, 1901, and all subsequent and amendatory acts relating to said court, and to transfer all the civil and criminal proceedings therein pending, together with all the dockets, papers and books relating to said cases in said county court of Coffee to the circuit court of Coffee county, Alabama.

H. 1110. For the relief of H. Frederick, an ex-confederate soldier; to give the said H. Frederick the benefits granted under an act the General Assembly of Alabama, approved February 10th, 1899, for the relief of needy confederate soldiers and sailors resident citizens of Alabama, and to require the probate judge of Escambia county to place his name on the pension roll or list of ex-confederate soldiers in the county of Escambia.

H. 1292. To require the court of county commissioners of Baldwin county to let to the lowest bidder, after due notice by publication, the road and bridge contracts in Baldwin county, provided said bidder gives bond for the faithful performance of contract.

H. 862. To provide for the payment of jurors in Clarke county, Alabama.

And has amended, as therein shown, and as amended has passed House bills:

H. 891. To provide for the election of the county commissioners of Bibb county, Alabama, and to prescribe their terms of office.

H. 924. To divide the county of Hale into four commissioners' district and to provide for the election of a commissioner for each district.

H. 876. To divide St. Clair county into two chancery districts, to provide for holding court therein, to authorize the appointment of a register for each of said districts, and to prescribe his duties.

H. 1032. To provide for an official shorthand reporter for the Thirteenth judicial circuit; to prescribe the qualifications, term of office and duties of such reporter, and to fix his compensation and fees.

H. 1035. To provide for the election of a county solicitor for Wilcox county, to define his duties and fix his compensation.

And sends same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Fuller, the House concurred in the Senate amendment to the bill H. 891, said Senate amendment being as follows:

Sec. 6. Beats number 1, 2, 9, 10 and 11 of Bibb county shall compose commissioners district number 1 of said county. Beats number 3, 4 and 12 shall compose commissioners district number 2 of said county. Beats number 5 and 7 shall compose commissioners district number 3 of said county, and beats number 6 and 8 shall compose commissioners district number 4 of said county.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Cranford	Killen
Alford	Crum	King
Altman	Doyle (Clark)	Kirby
Arnold	Doyle (Marengo)	Kornegay
Ballard (Pike)	Edwards	Lacy (Walker)
Baltzell	Elrod	Lawson
Barton	Fuller	Lee (Barbour)
Benners	Glover	Lee (Etowah)
Benson	Goodwyn	Lee (Houston)
Bloch	Haley	Long (Morgan)
Brown	Hoffman	Malone
Bulger	Hughston	Mastin
Burney	Jenkins	Mitchell
Cannon	John	Moore
Cooper	Johnson	McCrory

McMillan	Power	Rowe
Parker	Pratt	Sherrod
Pearson	Pugh	Smith (Franklin)
Peete	Ratray	Smith (Lee)
Pitts (Perry)	Rice	Williams
Powell (Bullock)		

—60.

On motion of Mr. Tunstall, the House concurred in the Senate amendment to the bill, H. 924, said Senate amendment being as follows:

Amend by adding at the end of section one "and three."

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Doyle (Marengo)	Mastin
Alford	Edwards	Mitchell
Altman	Elrod	Moore
Arnold	Fuller	McCrory
Arrington	Glover	McDuffie
Avery	Haley	Parker
Ballard (Autauga)	Hughston	Pearson
Ballard (Pike)	Jenkins	Peete
Baltzell	John	Pitts (Perry)
Barton	Johnston	Powell (Bullock)
Benners	Killen	Power
Benson	King	Pratt
Bloch	Kirby	Pugh
Brown	Kornegay	Ragsdale
Cannon	Lacy (Walker)	Ralner
Carmichael (Clay)	Lawson	Rice
Coleman (Marshall)	Lee (Barbour)	Rowe
Cooper	Lee (Etowah)	Sample
Cranford	Long (Butler)	Sherrod
Crum	Long (Morgan)	Smith (Franklin)
Doyle (Clark)	Malone	Tunstall

—63.

On motion of Mr. Moore, the House concurred in the Senate amendment to the bill H. 876, said Senate amendment being as follows:

Amend Sec. 1, line 3 by striking therefrom the figure 9 and the comma following where same first occurs in said line.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Doyle (Clark)	Lee (Etowah)
Alford	Doyle (Marengo)	Long (Butler)
Altman	Edwards	Long (Morgan)
Arnold	Elrod	Malone
Arrington	Fuller	Mastin
Ballard (Autauga)	Glover	Mitchell
Ballard (Pike)	Goodwyn	Moore
Baltzell	Haley	McCrary
Barton	Hoffman	McMillan
Benners	Hughston	Parker
Benson	Jenkins	Pitts (Perry)
Bloch	John	Powell (Bullock)
Brown	Johnson	Power
Bulger	Killen	Pratt
Burney	King	Pugh
Cannon	Kirby	Rice
Carmichael (Clay)	Kornegay	Rowe
Coleman (Marshall)	Lacy (Walker)	Sanford
Cooper	Lee (Barbour)	Woolf
Crum		

—58.

On motion of Mr. Hoffman, the House concurred in the Senate amendment to the bill H. 1032, said Senate amendment being as follows:

Amend section four by striking out the words "thirty-five" wherever they occur and inserting in lieu thereof the word "twenty."

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Speaker	Ballard (Pike)	Bloch
Alford	Baltzell	Brown
Altman	Barton	Bulger
Arnold	Benners	Burney
Ballard (Autauga)	Benson	Cannon

Carmichael (Clay)	John	Pitts (Perry)
Coleman (Marshall)	Johnson	Powell (Bullock)
Cooper	Jones	Power
Cranford	Killen	Pratt
Crum	King	Rice
Doyle (Clark)	Kornegay	Rowe
Doyle (Marengo)	Lancaster	Sample
Edwards	Lawson	Seale
Elrod	Lee (Barbour)	Sherrod
Fuller	Lee (Etowah)	Smith (Etowah)
Glover	Long (Butler)	Smith (Franklin)
Haley	Lyons	Smith (Lee)
Hoffman	Malone	Tunstall
Hughston	Mastin	Woolf
Jenkins	Moore	

—59.

On motion of Mr. McMillian, the House concurred in the Senate amendment to the bill H. 1035, said Senate amendment being as follows:

Amend section one by inserting 1908 where 1910 occurs in said section.

Yeas, 64; nays, 0.

Yeas:

Messrs:—

Speaker	Carmichael (Clay)	Jenkins
Alford	Coleman (Lowndes)	John
Altman	Coleman (Marshall)	Johnson
Arnold	Cooper	Jones
Arrington	Cranford	Killen
Ballard (Autauga)	Crum	King
Ballard (Pike)	Doyle (Clark)	Kornegay
Baltzell	Doyle (Marengo)	Lacy (Walker)
Barton	Edwards	Lawson
Benners	Elrod	Lee (Barbour)
Benson	Fuller	Lee (Etowah)
Bloch	Glover	Long (Butler)
Brown	Haley	Long (Morgan)
Bulger	Henley	Malone
Burney	Hoffman	Mastin
Cannon	Hughston	Mitchell

Moore	Powell (Bullock)	Sample
McCrory	Pratt	Sanders
McMillan	Pugh	Sherrod
Pearson	Rice	Smith (Elmore)
Pitts (Perry)	Rowe	Tunstall

—64.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills have examined the following House bills and beg leave to report the same correctly enrolled:

H. 832. To vacate the dedication of all that part of Charles avenue lying north and east of the eastern line of Twelfth street as now located, between avenues "H" and "I" in the city of Birmingham, Jefferson county, Alabama, and which was dedicated as a public highway.

H. 1139. To repeal an act entitled "An act to better provide for the working and maintenance of the public roads in Chambers, Lamar, Lawrence, Lowndes, Clay and Cleburne counties," approved February 18th, 1899, so far as the same relates to Lamar county.

H. 990. To require the tax assessor and tax collector of Morgan county, Alabama, to make their round as required by law together, and providing notice of said round.

H. 1039. To authorize the court of county commissioners of Wilcox county to borrow money, not exceeding one-half of the county revenue of said county per annum.

H. 971. To provide for the compensation of the solicitor of Mobile county to be elected in 1910, and his successors in office.

H. 889. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

H. 965. To fix the times and places of holding the chancery court in the Eighth district of the Northern division, composed of the county of Madison.

H. 862. To provide for the payment of jurors in Clarke county, Alabama.

H. 950. To vacate and annul Stollenwerck avenue as shown on map of Village Land Company's survey in Jefferson county, Alabama, as a public street or highway, and to annul or extinguish the dedication thereof.

H. 917. To prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors, intoxicating drinks, bitters or beverages in Dale county, Alabama.

H. 1004. To repeal an act entitled an act to establish and define the boundary lines of Spring Hill school district, Pike county.

H. 1218. To fix the time for the election of the solicitor of Jefferson county.

H. 1219. To increase the salary of the solicitor of Jefferson county to the sum of four thousand five hundred dollars per annum and provide for the payment of said salary.

H. 1100. To prohibit the manufacture of spirituous or malt liquors in Cherokee county.

H. 1089. To require one round to be made by the tax collector and tax assessor of Blount county for the purpose of assessing and collecting taxes, said round to begin the first Monday of November of every year.

H. 896. To repeal an act entitled an act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large.

H. 1009. To authorize the county of Russell to borrow money not exceeding the current revenue of said county, for any one year in the discretion of the court of county commissioners of said county.

H. 1010. To ratify and confirm the acts and contracts of the court of county commissioners of Russell county, or other authorized agents of said county, in borrowing money for the use and benefit of said county, and to ratify and confirm the warrants given on said contracts for money so borrowed.

H. 884. To authorize the board of mayor and aldermen of the city of Tuscaloosa to maintain or to contribute to the maintenance of a wagon yard or lot in the city of Tuscaloosa, for the benefit of the public, and to prescribe rules for the government of same, and to pay

out of the general funds of the city such sums of money as the said city board deems necessary for the maintenance or part maintenance, of said wagon yard or lot.

H. 1038. To authorize the court of county commissioners of Wilcox county to purchase or acquire three or more ferries along the Alabama river in said county; to operate and maintain same for the public use.

H. 885. To amend an act entitled "An act to prohibit the sale, giving away or disposing of spirituous, vinous or malt liquors or any intoxicating bitters or beverages within one mile of of Old Mt. Zion Baptist church, Barbour county," approved February 9th, 1897, and to provide a penalty for the violation of this act.

H. 899. To validate claims against Clay county, Alabama, for work and labor and material or supplies furnished said county under the provisions of the recent Clay county road law, which has been declared unconstitutional and authorize the commissioners' court to audit and allow such claims as preferred claims against the general fund of said county and direct payment of same.

H. 1298. To authorize and empower the court of county commissioners of Butler county to contract for and place in the office of the various officers of said county, telephones, writing machines and other mechanical devices as in the opinion of the said court of county commissioners is necessary or expedient, and to contract for and place in the jail and poor houses of said county such telephones as may be necessary.

H. 920. To amend section nine of an act entitled an act to authorize all incorporated towns and cities in Elmore county to establish and operate dispensary or dispensaries in such incorporated towns or cities, for the purpose of buying and selling spirituous, vinous or malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the selling of such liquors in such county, approved February 9th, 1907.

H. 951. To vacate and annul Fifth street between Second and Third avenues; Sixth street between Second and Third avenues; Third avenue between Fourth and

Sixth streets; the alley extending north and south in block eleven, and the alley running east and west in block eleven in the Pratt Land and Improvement Company's survey of East Thomas, Jefferson county, Alabama.

H. 1191. To provide that the sheriff of Bullock county, Alabama, shall receive for "impaneling grand juries, advertising and attending all elections in his county, and for all other public service not otherwise provided for, such sum as may be allowed by the court of county commissioners, to be paid out of the county treasury, not exceeding five hundred (\$500.00) dollars per annum."

H. 1044. To alter or change the boundary line between the counties of Etowah and Calhoun, in the State of Alabama, and as altered to establish the same.

H. 1053. To alter and rearrange the boundaries of the town of Pollard, extending the corporate limits of said town.

H. 934. To repeal an act entitled "An act to provide for the establishing of a separate school district to be known as the North Birmingham district in Jefferson county, Alabama, and to provide for the selection of a board of trustees for said school district with certain duties and powers," approved March 4th, 1901.

H. 1018. To authorize an election in the county of Talladega to determine whether or not bonds in the sum of two hundred and fifty thousand dollars shall be issued by said county for the purpose of building ~~road~~ dam, chert and gravel public roads therein.

H. 1046. To amend section two of an act to constitute the city of Anniston a separate school district and to provide a board of education therefor.

H. 1099. To amend section 3 of an act entitled an act to establish a separate school district in Clark county, Alabama, to be known as the Grove Hill school district, and to provide for the maintenance of the same, approved March 4th, 1901.

H. 1292. To require the court of county commissioners of Baldwin county to let to the lowest bidder after due notice by publication, the road and bridge contracts

in Baldwin county, provided, said bidder gives bond for the faithful performance of contract.

H. 1016. To repeal an act entitled an act to establish, maintain and regulate a dispensary in the town of Ragland, in St. Clair county, Alabama, for the sale of spirituous and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors, and to create a board of directors for the purpose of better controlling and managing the sale of spirituous and vinous liquors, malt liquors, wines, ciders and other intoxicating liquors and for other purposes.

H. 1267. To provide for the payment by the court of county commissioners, of Bullock county, Alabama, out of the county treasury for the removal fees, mileage and per diem for the removal of persons charged with misdemeanor.

H. 1082. To amend sections 4 and 12 of an act to better provide for the maintaining and keeping in repair the public roads of Escambia county, approved September 17, 1903.

H. 1095. To require the tax assessor and tax collector of Calhoun county, Alabama, to visit the voting places in each precinct in Calhoun county, Alabama, once in each year, for the purpose of assessing and collecting taxes; that said tax assessor and tax collector shall each keep his office open at the court house of said county from October the 1st to December the 31st of each year.

H. 1301. To prohibit the sale, barter, exchange or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages, in the county of Houston, in the State of Alabama; and to provide for an offense and a penalty for the sale, barter, exchange or giving away of vinous, spirituous or malt liquors, or other intoxicating drinks or beverages in the said county of Houston.

H. 1110. For the relief of H. Frederick, an ex-confederate soldier; to give the said H. Frederick the benefits granted under an act the General Assembly of Alabama, approved February 10th, 1899, for the relief of needy confederate soldiers and sailors, resident citizens

of Alabama, and to require the probate judge of Escambia county to place his name on the pension roll or list of ex-confederate soldiers in the county of Escambia.

H. 925. To provide for the working of the public roads of Hale county, Alabama, for levying a tax for same and how same shall be expended.

H. 1042. To repeal an act entitled an act to increase the number of grand and petit jurors in Winston county," approved February 7th, 1885.

H. 713. For the relief of L. W. Kolb, to refund certain moneys illegally collected from him in Dale county, as State license.

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after their titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the standing committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills beg leave to report that it has examined and found correctly engrossed the following bills:

H. 1347. To allow the circuit clerk of Lamar county as assistant clerk.

H. 1372. To fix the time when the tax collector and tax assessor of Walker county shall begin the round and to visit the several precincts of said county for the purpose of assessing and collecting taxes.

H. 1365. For the relief of B. H. Worthy, of Clay county, to validate the warrants in the sum of \$29.15 held by him against the road and bridge fund of said county, and to authorize the county treasurer of said county to pay said warrants.

H. 1345. To amend sections 5 and 7 of an act entitled "An act to provide and establish a stock law for Lamar and Fayette counties," so far as the same relates to Brown's precinct, No. 4, in Lamar county.

H. 1341. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials, or other intoxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist church or Ivey Creek public school house, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

H. 1215. For the relief of J. W. T. Abernathy, an ex-confederate soldier of Chambers county.

H. 970. To prohibit the sale, giving away, or otherwise disposing of beer, whiskey, or other intoxicating drinks or beverages, within one mile of the Barkersville Baptist church, at Prichard, in Mobile county, Alabama and provide a penalty for a violation of this act.

H. 1234. To authorize and direct the court of county commissioners of Crenshaw county to pay for advertising the notice and substance of local bills introduced in the Legislature for said county, out of any money in the treasury not otherwise appropriated, when the bill applies to the entire county and ordered published by the representative of said county and this act shall apply to and include the notice and substance of bills advertised at and during the present session of the Legislature.

H. 1377. To provide for the construction, repairing, working and maintaining of the public roads of Henry county, Alabama, and to provide for the levying a special property and a per capita tax for same, and for the punishment of defaulters.

H. 997. To amend section fourteen (14) of an act, entitled an act to provide for the more efficient working and keeping in repair of the public roads of Morgan county; and to locate, construct, repair and keep in proper condition within the limits of said county, a system of public roads of a superior grade, to be known as

the county roads of said county, approved February 28th, 1901.

H. 1379. To repeal an act to regulate the salaries of teachers in public schools outside of any incorporated towns in Walker county, Alabama, approved March 5th, 1901.

H. 977. To authorize the board of revenue and road commissioners of Mobile county to issue bonds for the purpose of improving the harbor and river front at Mobile, Alabama.

H. 1242. To establish an inferior court in precinct 45, in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public, with powers of justices of the peace, in said precinct, and to define the jurisdiction and powers of said court and of the judges thereof.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

Mr. Lee, of Barbour, called up his motion to take from the adverse calendar H. 1383, and the motion was lost.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill:

~~H. 941. To provide for and regulate the selection,~~
drawing and empaneling of grand and petit juries in all the courts of this State.

Mr. Ballard, of Autauga, offered the following amendment to the bill:

Amend Sec. 3 by striking the word "sixty" in line 5 and inserting in lieu thereof the word "seventy."

And the amendment was adopted.

Yeas, 55; nays, 11.

Yeas:

Messrs:—

Speaker	Arrington	Baltzell
Alford	Ballard (Autauga)	Benson
Arnold	Ballard (Pike)	Brown

Burney	Kirby	Powell (Bullock)
Cannon	Lacy (Walker)	Powell (Covington)
Carmichael (Clay)	Lacy (Walker)	Pratt
Cooper	Lancaster	Pugh
Cranford	Lawson	Ragsdale
Crum	Lee (Barbour)	Rice
Doyle (Clark)	Long (Butler)	Rowe
Doyle (Marengo)	Lyons	Rushton
Fuller	Malone	Sanders
Goodwyn	Maner	Smith (Franklin)
Gunter	Mastin	Steagall
Hoffman	Mitchell	Vann
Jenkins	Moore	Weaver
John	Parker	White (Lamar)
Johnson	Pearson	Williams
King		

—55.

Nays:

Messrs:—

Altman	Bloch	Bulger
Edwards	Elrod	Glover
Lee (Houston)	Power	Sherrod
Smith (Lee)	Turner	

—11.

Mr. Lee, of Houston, offered the following amendment to the bill:

Amend the bill by striking out Sec. 1 of the bill and inserting in lieu thereof the following:

Sec. 1. That for each county in this State there shall be a jury commission, which commission shall be constituted and composed of the members of the court of county commissioners or boards of revenue, or other boards or courts of like jurisdiction; and said members shall elect from their members a president.

On motion of Mr. Goodwyn, the bill, H. 941, and pending amendments were laid upon the table.

Yeas, 49; nays, 37.

Yeas:

Messrs:—

Alford	Jenkins	Parker
Altman	Johnson	Pearson
Arnold	Killen	Powell (Covington)
Benners	Lancaster	Pratt
Benson	Lawson	Pugh
Burney	Lee (Etowah)	Sample
Cannon	Long (Butler)	Sanders
Carmichael (Clay)	Long (Morgan)	Sherrod
Coleman (Marshall)	Lyons	Smith (Elmore)
Cranford	Malone	Smith (Etowah)
Doyle (Clark)	Mastin	Smith (Franklin)
Doyle (Marengo)	Middleton	Tunstall
Edwards	Moore	Vann
Elrod	McCrary	Weaver
Goodwyn	McMillan	White (Lamar)
Hoffman	Norville	Williams
Hughston		

—49.

Nays:

Messrs:—

Speaker	Haley	Power
Arrington	Johr	Ragsdale
Ballard (Autauga)	King	Rainer
Ballard (Pike)	Kornegay	Rattray
Baltzell	Lacy (Walker)	Rice
Bloch	Lee (Barbour)	Rowe
Brown	Lee (Houston)	Rushton
Bulger	Maner	Seale
Cooper	Mitchell	Smith (Lee)
Crum	Peete	Steagall
Fuller	Pitts (Perry)	Turner
Glover	Powell (Bullock)	Woolf
Gunter		

—37.

BILLS ON THIRD READING.

H. 936. To propose an amendment to the Constitution of the State of Alabama for the purpose of providing for the formation and establishing of new counties

out of portions of one, two or more counties as may be desired.

Was read a third time, at length, and passed.

Yeas, 66; nays, 13.

Yeas:

Messrs:—

Speaker	Haley	Parker
Alford	Hoffman	Pearson
Altman	Hughston	Peete
Arnold	Jenkins	Powell (Bullock)
Arrington	John	Powell (Covington)
Ballard (Autauga)	Killen	Power
Baltzell	Kornegay	Pratt
Barton	Lancaster	Ragsdale
Benners	Lawson	Rainer
Bloch	Lee (Barbour)	Sample
Brown	Lee (Etowah)	Sanders
Bulger	Long (Butler)	Seale
Burney	Long (Morgan)	Sherrod
Carmichael (Clay)	Lyons	Smith (Elmore)
Coleman (Marshall)	Malone	Smith (Etowah)
Cooper	Maner	Smith (Franklin)
Cranford	Mitchell	Steagall
Crum	Moore	Tunstall
Doyle (Clark)	McCrory	Turner
Doyle (Marengo)	McDuffie	Vann
Goodwyn	McMillan	Weaver
Gunter	Norville	White (Lamar)

—66.

Nays:

Messrs:—

Benson	Cannon	Elrod
Fuller	Glover	Johnson
Kirby	Lacy (Walker)	Pugh
Rice	Smith (Lee)	Williams
Woolf		

—13.

On motion of Mr. Ragsdale, the bill, H. 936, was ordered sent forthwith to the Senate without engrossment.

H. 1075. To amend section 809 of the Code of 1896.
Was read a third time, at length, and passed.

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	McMillan
Arnold	Haley	Norville
Arrington	Hoffman	Parker
Avery	Jenkins	Pearson
Ballard (Pike)	John	Peete
Barton	Johnson	Powell (Bullock)
Benners	Kornegay	Powell (Covington)
Benson	Lacy (Walker)	Power
Bloch	Lawson	Pratt
Brown	Lee (Barbour)	Pugh
Bulger	Lee (Etowah)	Rainer
Burney	Lee (Houston)	Sample
Cannon	Long (Butler)	Sanders
Carmichael (Clay)	Long (Morgan)	Sherrod
Cranford	Malone	Smith (Franklin)
Crum	Maner	Smith (Lee)
Doyle (Clark)	Mastin	Tunstall
Elrod	Mitchell	Turner
Fuller	Moore	Vann
Glover	McCrory	White (Lamar)
Goodwyn	McDuffie	Williams

—63.

On motion of Mr. Benson, the bill, H. 1075 was ordered sent to the Senate without engrossment.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following House resolutions with a favorable report as amended:

H. R. 307, 317 and 318.

And the following resolution with a favorable report:

H. R. 313. To authorize the Secretary of State to preserve 25 copies of the Code of 1896 for the use of the State, and to sell all other Codes at fifty cents per volume.

And the above resolution was read a second time and placed on the calendar.

And the following resolutions were returned with an adverse report: H. R. 308, 310 and 314.

MOTION TO TAKE FROM THE ADVERSE CALENDAR.

Mr. Goodwyn gave notice that on tomorrow he would move to take from an adverse report the resolution H. 314.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House amendment to the following Senate bills:

S. 479. To provide for the more efficient working of the public roads in Mobile county and certain streets and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners Mobile county; to prescribe the duties and fix the authority of said board; and provide for the levy and collection of a road tax and the method of disbursing moneys necessary to carry out the provisions of this act, and provide penalties for violations of its provisions.

S. 527. To provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery and clerks of the city court of Montgomery and the county court in and for said county, in criminal cases where the State fails to convict out of the general fund of Montgomery county. And provide compensation for the clerk of the board of revenue for services required of him under this act.

S. 512. To confer equity jurisdiction upon the circuit courts of Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit court in said counties, and to provide a register for said courts.

S. 402. To provide for the holding of a term of the circuit court of the Fifth judicial circuit of Coosa county, at Goodwater and to regulate the same.

And has concurred in H. J. R. 316, relative to the distribution of the municipal code.

And has concurred in H. J. R. 288, relative to memorializing Congress to clean out Cahaba river.

And returns same to House.

J. A. Kyle,
Secretary.

H. 674. To regulate the practice of medicine in the State of Alabama.

Was read a third time, at length, and passed.

Yeas, 54; nays, 15.

Yeas:

Messrs:—

Speaker	Goodwyn	Pitts (Perry)
Alford	Gunter	Powell (Bullock)
Altman	Haley	Power
Avery	Hoffman	Pratt
Ballard (Autauga)	John	Pugh
Ballard (Pike)	Kirby	Ragsdale
Baltzell	Lacy (Walker)	Rainer
Benners	Lancaster	Rice
Bloch	Lee (Etowah)	Rushton
Brown	Lee (Houston)	Sample
Burney	Long (Morgan)	Sanders
Carmichael (Clay)	Lovelady	Smith (Bimore)
Coleman (Marshall)	Lyons	Smith (Franklin)
Cooper	Maner	Tunstall
Doyle (Marengo)	Mastin	Vann
Edwards	Middleton	White (Lamar)
Fuller	McCrory	Williams
Glover	Norville	Woolf

—54.

Nays:

Messrs:—

Barton	Cranford	Hughston
Benson	Crum	Johnson
Cannon	Elrod	Killen

Mitchell
Moore

Parker
Powell (Covington)

Rowe
Smith (Etowah)

—15.

On motion of Mr. Gunter, the bill, H. 674, was ordered sent forthwith to the Senate without engrossment.

H. 182. To authorize cities, towns and other municipal corporations in the State of Alabama to purchase, construct, own and operate water works and electric light plants, to enlarge, extend and maintain the same; to supply water and lights to the inhabitants thereof, and to the inhabitants of other cities and towns, and to other persons and corporations; to contract debts and to issue bonds in payment for such works or plant, and to secure the same by mortgage or deed of trust; to establish boards of commissions for the management of such works or plant, the fixing of rates and the administration of such property.

Was taken up. The question was upon the adoption of the substitute reported by the standing committee on Municipal Organization. Mr. Gunter asked unanimous consent to withdraw the substitute reported by the committee. Consent was granted, and the substitute was withdrawn.

Mr. Crawford offered the following substitute for the bill:

A BILL

To be entitled an act to empower cities and towns to purchase and operate water works, to provide for the issuance of their bonds in payment for the same and to provide for securing the unpaid purchase money for such water works.

Be it enacted by the Legislature of Alabama:

1. Cities and towns may construct or purchase and operate water works plants and may supply water therefrom to other cities and towns as well as to its own inhabitants; such plants may be within or without such city or town; such plants may be purchased subject to

encumbrances, the payment of which may be assumed; in payment for such plants, cities or towns may issue their bonds in the manner provided by law and the same may be secured by mortgage or deed of trust on the plants purchased; by the terms of such purchase it may be provided that the revenues of such water works may be collected, controlled and disbursed by a commission selected in the manner and having the powers and term of office which may be agreed upon between the vendor of such plant and such city or town.

2. By the terms of purchase, it may be further provided that the purchaser at a foreclosure sale under such mortgage or deed of trust shall have a franchise for not exceeding thirty years to operate such plant.

And the substitute was adopted.

Yeas, 67; nays, 0.

Messrs:—

Yeas:

Speaker	Fuller	McCrory
Alford	Glover	McMillan
Altman	Gunter	Oliver
Arnold	Haley	Parker
Arrington	Hoffman	Peete
Ballard (Autauga)	Hughston	Pitts (Perry)
Ballard (Pike)	John	Powell (Covington)
Baltzell	Johnson	Power
Barton	King	Pratt
Benners	Kornegay	Pugh
Bloch	Lacy (Walker)	Rattray
Brown	Lancaster	Rice
Bulger	Lawson	Rowe
Burney	Lee (Etowah)	Sample
Cannon	Lee (Houston)	Sanders
Carmichael (Clay)	Long (Butler)	Sherrod
Coleman (Marshall)	Long (Morgan)	Smith (Etowah)
Cooper	Lyons	Smith (Lee)
Cranford	Maner	Tunstall
Crum	Middleton	White (Lamar)
Boyle (Marengo)	Mitchell	Williams
Edwards	Moore	Wood

And the bill:

H. 182. To authorize cities, towns and other municipal corporations in the State of Alabama to purchase, construct, own and operate water works and electric light plants, or either, to enlarge, extend and maintain the same; to supply water and lights to the inhabitants thereof, and to the inhabitants of other cities and towns, and to other persons and corporations; to contract debts and to issue bonds in payment for such works or plants, and to secure the same by mortgage or deed of trust; to establish boards of commissions for the management of such works or plant, the fixing of rates and the administration of such property.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Yessrs:—

Speaker	Elrod	Peete
Alford	Glover	Pitts (Perry)
Altman	Goodwyn	Powell (Bullock)
Arnold	Gunter	Powell (Bullock)
Ballard (Autauga)	Haley	Power
Ballard. (Pike)	Hoffman	Pratt
Baltzell	Hughston	Pugh
Barton	Johnson	Ralner
Benners	Killen	Rattray
Benson	King	Rice
Bloch	Kornegay	Rushton
Brown	Lacy (Walker)	Sanders
Bulger	Lancaster	Sherrod
Burney	Lawson	Smith (Elmore)
Cannon	Lyons	Smith (Etowah)
Carmichael (Clay)	Maner	Smith (Franklin)
Coleman (Marshall)	Mitchell	Vann
Cooper	Moore	White (Lamar)
Cranford	McDuffie	Williams
Doyle (Clark)	Oliver	Woelf
Edwards	Parker	

H. 1329. Proposing an amendment to section 93 of the Constitution, which shall authorize the State to receive interest on funds deposited by it in designated depositories; and providing for the submission of said amendment to the qualified electors of the State for their adoption or rejection at the general election to be held on the first Monday after the first Tuesday in November, 1908.

Was taken up. Mr. Goodwyn offered the following amendment to the bill:

Amend section 1 by adding thereto the following: Provided further that the State may adopt such laws as may be necessary to the building of good roads in the State. Amend caption by inserting after the word "State" and before the word "to" provide for good roads and.

On motion of Mr. Sample, the bill, H. 1329, and pending amendment were laid upon the table.

Yeas, 41; nays, 32.

Yeas:

Messrs:—

Speaker	Jenkins	Pitts (Perry)
Altman	Johnson	Powell (Bullock)
Arnold	Lancaster	Powell (Covington)
Avery	Lee (Etowah)	Power
Barton	Lee (Houston)	Pugn
Benson	Lovelady	Rowe
Brown	Malone	Sample
Bulger	Moore	Sanders
Coleman (Marshall)	McCrory	Smith (Franklin)
Cranford	McDuffie	Turner
Doyle (Clark)	Norville	Vann
Doyle (Marengo)	Oliver	Weaver
Elrod	Parker	Williams
Gunter	Peete	

Nays:

Messrs:—

Bloch	Carmichael (Clay)	Crum
Cannon	Cooper	Fuller

Glover	Long (Butler)	Ralner
Goodwyn	Long (Morgan)	Rice
Haley	Lyons	Smith (Elmore)
Hughston	Maner	Smith (Etowah)
John	Mastin	Smith (Lee)
Killen	Mitchell	Steagall
King	Pearson	Tunstall
Kornegay	Pratt	White (Lamar)
Lawson	Ragsdale	

—32.

EXCUSED FROM VOTING.

Mr. Rushton asked that he be excused from voting. Consent was granted.

Mr. Gunter moved to reconsider the vote by which the bill, H. 1329, was tabled, and demanded immediate consideration of his motion to reconsider.

Mr. Gunter moved to table the motion to reconsider, and the motion to table prevailed.

H. 1302. To regulate primary elections in the State of Alabama.

Was taken up. The question was upon the adoption of the amendment offered by the standing committee on Privileges and Elections.

Mr. Tunstall moved that when the House adjourned at one p. m. that it meet again at 3 p. m. and the motion prevailed.

ADJOURNMENT.

The hour of one o'clock having arrived, the House adjourned until 3 p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Hoffman	Feete
Alford	Hughston	Pitts (Perry)
Altman	Jenkins	Powell (Bullock)
Arnold	John	Powell (Covington)
Arrington	Johnson	Power
Avery	Killen	Pratt
Ballard (Autauga)	King	Pugh
Ballard (Pike)	Kirby	Ragsdale
Baltzell	Kornegay	Rainer
Barton	Lacy (Walker)	Rattray
Benners	Lancaster	Rice
Benson	Lawson	Rowe
Bloch	Lee (Barbour)	Rushton
Brown	Lee (Etowah)	Sample
Bulger	Lee (Houston)	Sanders
Burney	Long (Butler)	Seale
Cannon	Long (Morgan)	Sherrod
Carmichael (Clay)	Lovelady	Smith (Elmore)
Coleman (Marshall)	Lyons	Smith (Etowah)
Cooper	Malone	Smith (Franklin)
Cranford	Maner	Smith (Lee)
Crum	Mastin	Steagall
Doyle (Clark)	Middleton	Thompson
Doyle (Marengo)	Mitchell	Tunstall
Dudley	Moore	Turner
Edwards	McCrary	Urquhart
Elrod	McDuffie	Vann
Fuller	McMillan	Weaver
Glover	Norville	White (Lamar)
Goodwyn	Oliver	White (Perry)
Gunter	Parker	Williams
Haley	Pearson	Woolf

—96.

A quorum was present.

LEAVE OF ABSENCE

Were granted to Messrs. Jones, Coleman of Lowndes, and Foster for today.

PRIVILEGES OF THE FLOOR

Were extended to the Hon. D. D. Askew, of Elmore;
Hon. W. B. Castleberry for this afternoon.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bills:

S. 529. To amend sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17 and 18 of and to add sections 9 1-2, 16 1-2, 17 1-2, 24 and 25 to, an act entitled an act to amend, reconstruct and provide for the enforcement of the laws relating to the public health, approved October 9, 1903.

S. 538. To prohibit the having of pay days and the running of pay trains in the State of Alabama and to provide a punishment therefor.

S. 615. To amend section 2695 of the Code.

S. 513. To amend an act to provide for the inspection of jails and almshouses and cotton mills by adding section 12, To provide for office expenses of the inspector.

And sends same herewith to the House without engrossment.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message, were read one time and referred to appropriate standing committees as follows:

Public Health, S. 529.

Commerce and Common Carriers, 538.

Judiciary, S. 615.

Penitentiary and Criminal Administration, S. 513.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills have examined the following House bills and beg leave to report the same correctly enrolled:

H. 1150. To amend "An act to provide for the settlement, adjustment and refunding of the bonded indebtedness of municipal corporations.

H. 966. To amend sections 7, 8, 14, 21, 24, 27, 29 and 32 of an act entitled an act to establish a law and equity court for Madison county, approved February 26th, 1907.

H. 870. To repeal an act entitled "An act to establish the county court of Coffee for Coffee county with criminal jurisdiction in misdemeanor cases, approved February 8th, 1901, and all subsequent and amendatory acts relating to said court, and to transfer all the civil and criminal proceedings therein pending together with all the dockets, papers and books relating to said cases in said county court of Coffee to the circuit court of Coffee county, Alabama.

H. 907. To provide for the making of bonds for the State Auditor and Secretary of State through guarantee companies and to provide for the payment of the premium on same.

H. 836. To amend an act entitled an act to establish a separate school district to be known as the Bethel school district, composed of a portion of Colbert, Lawrence and Franklin counties, Alabama, approved February 15th, 1899.

H. 901. To authorize the court of county commissioners of Clay county, Alabama, to pay annually on claims for public roads and bridges an amount out of the general fund of said county not to exceed one-fifth of said general fund levied and collected in any one year.

H. 1190. To repeal an act approved September the 30th, 1903, entitled an act to provide a better system and the more efficient working of the public roads of Bullock county.

H. 1032. To provide for an official short-hand reporter for the Thirteenth judicial circuit; to prescribe the qualifications, term of office and duties of such reporter, and to fix his compensation and fees.

H. 810. To establish a board of revenue for Houston county.

H. 891. To provide for the election of the county commissioners of Bibb county, Alabama, and to prescribe their terms of office.

H. 924. To divide the county of Hale into four commissioners' districts and provide for the election of a commissioner for each district.

H. 1259. To amend sections 4, 13, 20, 17, 24, 25 and by adding section 28 1-2 to the provisions of an act entitled "An act to provide a road law for the county of Marengo and to enforce the same," approved February 26th, 1907.

H. 960. To amend section 1 of an act "To aid and encourage technical education in the State of Alabama and the providing for the erection and equipment of buildings and increased facilities at the Alabama Polytechnic Institute," approved March 2, 1907.

H. 133. To amend an act entitled an act to establish an inferior court in precincts 21 and 37 in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precincts and to define the jurisdiction and powers of said court and the judges thereof, approved September 26th, 1903.

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report of the standing committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bill:

H. 1370. To provide a commission to investigate the charges made against the management of the Insane Hospitals; to prescribe its powers and duties and to pay the per diem, mileage and expenses thereof.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bill:

H. 182. To empower cities and towns to purchase and operate water works, to provide for the issuance of their bonds in payment for the same and to provide for securing the unpaid purchase money for such water works.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

~~UNFINISHED BUSINESS~~

The House proceeded to the consideration of the unfinished business, which was the bill:

H. 905. To provide for the publication of the local laws enacted by the Alabama Legislature in the various counties to which they apply.

Mr. Glover offered the following amendment to the bill:

Amend the bill by adding a proviso in words and figures as follows, at the conclusion of the last section: Provided that the provisions of this act shall not apply to counties of over one hundred thousand inhabitants.

Mr. Tunstall offered the following amendment to the amendment:

Also amend by adding: Provided further, that no law establishing a dispensary or a court of record shall be published.

And the amendment to the amendment was adopted.

And the amendment offered by Mr. Glover, as amended by the amendment offered by Mr. Tunstall, was lost.

Yeas, 35; nays, 40.

Yeas:

Messrs:—

Speaker	Glover	Parker
Altman	Haley	Peete
Arnold	Hughston	Pitts (Perry)
Ballard (Autauga)	John	Ragsdale
Ballard (Pike)	Kirby	Sherrod
Barton	Kornegay	Smith (Elmore)
Benners	Lacy (Walker)	Steagall
Bulger	Lancaster	Tunstall
Carmichael (Clay)	Lovelady	Weaver
Coleman (Marshall)	Maner	White (Perry)
Crum	Mitchell	Woolf
Fuller	Moore	

—35.

Nays:

Messrs:—

Alford	Killen	Powell (Covington)
Avery	Lawson	Power
Benson	Lee (Barbour)	Pratt
Bloch	Lee (Houston)	Pugh
Brown	Long (Butler)	Rainer
Cannon	Lyons	Rushton
Cooper	Malone	Sample
Doyle (Marengo)	Mastin	Sanders
Dudley	Middleton	Smith (Etowah)
Edwards	McCrory	Smith (Franklin)
Goodwyn	McDuffie	Smith (Lee)
Gunter	McMillan	Turner
Hoffman	Powell (Bullock)	White (Lamar)
Johnson		

—40.

And the bill:

H. 905. To provide for the publication of the local laws enacted by the Alabama Legislature in the various counties to which they apply.

As amended, was read a third time, at length, and lost.

Yeas, 18; nays, 54.

Yeas:

Messrs:—

Speaker	Hughston	Parker
Benners	Kirby	Sherrod
Bloch	Lacy (Walker)	Tunstall
Bulger	Lee (Etowah)	Weaver
Fuller	Lee (Houston)	White (Perry)
Goodwyn	Mitchell	Woelf

—18.

Nays:

Messrs:—

Alford	John	Peete
Altman	Johnson	Powell (Bullock)
Arnold	Killen	Powell (Covington)
Avery	Kornegay	Power
Ballard (Autauga)	Lancaster	Pratt
Ballard (Pike)	Lawson	Pugh
Barton	Lee (Barbour)	Ragsdale
Benson	Long (Butler)	Rainer
Brown	Long (Morgan)	Rattray
Cannon	Lovelady	Rowe
Carmichael (Clay)	Lyons	Rushton
Coleman (Marshall)	Malone	Sample
Cooper	Maner	Sanders
Crum	Mastin	Smith (Elmore)
Doyle (Marengo)	Moore	Smith (Franklin)
Edwards	McCrory	Turner
Glover	McDuffie	White (Lamar)
Haley	Pearson	Williams

—54.

BILLS ON THIRD READING.

H. 547. To amend chapter 78 of the Code of 1896.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Mining and Manufacturing.

Mr. Long, of Butler, moved to table the bill and pending amendment, and the motion to table prevailed.

Yeas, 56; nays, 24.

Yeas:

Messrs:—

Alford	Haley	Parker
Avery	Hoffman	Pitts (Dallas)
Baltzell	Hughston	Pitts (Perry)
Barton	Johnson	Powell (Covington)
Benson	Killen	Power
Brown	Kirby	Pugh
Burney	Kornegay	Rainer
Cannon	Lacy (Walker)	Rattray
Coleman (Marshall)	Lee (Barbour)	Rice
Cranford	Lee (Etowah)	Rushton
Crum	Lee (Houston)	Sanders
Doyle (Clark)	Long (Butler)	Sherrod
Doyle (Marengo)	Long (Morgan)	Smith (Etowah)
Dudley	Lyons	Tunstall
Edwards	Malone	Weaver
Elrod	Maner	White (Perry)
Glover	McCrory	Williams
Goodwyn	McMillan	Woolf
Gunter	Norville	

—56.

Nays:

Messrs:—

Speaker	Bulger	Lawson
Altman	Carmichael (Clay)	Mastin
Arnold	Cooper	Moore
Ballard (Autauga)	Fuller	Oliver
Ballard (Pike)	John	Pearson
Bloch	Lancaster	Peete

Powell (Bullock)
Ragsdale

Sample
Smith (Elmore)

Smith (Franklin)
Turner

—24.

H. 1320. To further regulate elections in the State of Alabama.

Was taken up. Mr. Jenkins offered the following substitute for the bill:

Substitute for H. B. 1320:

A BILL

To be entitled an act to further regulate elections in the State of Alabama.

Section 1. Be it enacted by the Legislature of Alabama, That each and every applicant for registration as elector under the general election laws of this State shall be required by the board of registrars to state in his application the exact date of his birth, which date shall appear from his certificate of registration, from the copy of the list of names registered and the registration list returned each year by the board of registrars to the office of the judge of probate of each county, and from the alphabetical list certified by the judge of probate to the Secretary of State; and, in order that the certificate of the board of registrars, or of the judge of probate, or of the Secretary of State, may be sufficient evidence to establish the fact of registration of any elector, such certificate shall show the date of birth of said elector, provided, that if the date of the birth of any elector be not accurately known, it shall be sufficient if the certificate shows the approximate date.

Section 2. That any elector, who may have changed the county of his residence, shall, on application, after he shall have acquired a legal residence in his new location, be registered upon production of his legal certificate to the board of registrars, unless he since shall have become disqualified. Said elector shall file with the probate judge of the county of his new location a certificate from the probate judge of the county of his former residence that he has paid all poll taxes due

from him for the year nineteen hundred and one and for each subsequent year up to the time of such change of residence.

Section 3. That the judge of probate shall carefully compare the registration lists with the annual poll tax lists, required by law to be filed with him by the tax collector, and, in making alphabetical lists of electors for the use of election inspectors, he shall include only those registered electors who shall have paid as provided by law, all poll taxes due from them for the year, nineteen hundred and one and for each subsequent year. If there be any question as to whether such poll tax be due from the elector for any year, it shall be incumbent upon such elector to submit to the judge of probate such evidence as to facts upon which he claims exemption as will establish his claim of exemption from the payment of poll tax, and such evidence shall appear of record in the office of the judge of probate.

Section 4. That any person who becomes twenty-one years of age after October first of any year shall not be liable for a poll tax for the fractional part of the tax year which ends September 30th thereafter. And the judge of probate shall certify the names of all such persons on the poll list as persons not due any poll tax; which list is to be furnished inspectors of elections as other election supplies now required by law to be furnished.

Section 5. That the judge of probate shall file in his office an alphabetical list of electors in his county who have paid their poll tax as provided in sections 2, 3, and 4 of this act, and for his services in making and filing said list he shall be paid out of the county treasury ten cents for each name.

Section 6. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

And the substitute was adopted.

Yeas, 67; nays, 0.

Yeas:

Messrs:—

Speaker	Hughston	Parker
Alford	Jenkins	Pearson
Altman	Johnson	Peete
Arnold	Killen	Pitts (Perry)
Avery	Kirby	Powell (Bullock)
Ballard (Autauga)	Lacy (Dallas)	Power
Baltzell	Lacy (Walker)	Pratt
Benson	Lancaster	Pugh
Bloch	Lawson	Rainer
Brown	Lee (Barbour)	Rice
Bulger	Lee (Etowah)	Rowe
Cannon	Lee (Houston)	Rushton
Carmichael (Clay)	Lovelady	Sample
Cooper	Malone	Sanford
Cranford	Maner	Smith (Elmore)
Doyle (Marengo)	Martin	Smith (Franklin)
Dudley	Middleton	Steagall
Edwards	Mitchell	Weaver
Fuller	Moore	White (Lamar)
Glover	McCrary	White (Perry)
Goodwyn	McMillan	Williams
Gunter	Oliver	Woolf
Hoffman		

—67.

And the bill:

H. 1320. To further regulate elections in the State of Alabama.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Barton	Coleman (Marshall)
Alford	Benson	Cooper
Altman	Bloch	Cranford
Arnold	Brown	Crum
Avery	Burney	Doyle (Clark)
Ballard (Autauga)	Cannon	Doyle (Marengo)
Baltzell	Carmichael (Clay)	Elrod

Fuller	Lawson	Peete
Glover	Lee (Barbour)	Pitts (Perry)
Goodwyn	Lee (Etowah)	Powell (Bullock)
Gunter	Lee (Houston)	Powell (Covington)
Haley	Lovelady	Pugh
Hoffman	Malone	Rainer
Hughston	Maner	Sample
Jenkins	Mitchell	Sherrod
John	Moore	Smith (Franklin)
Kirby	McMillan	Smith (Lee)
Kornegay	Oliver	Weaver
Lacy (Walker)	Parker	White (Perry)
Lancaster	Pearson	Williams

—60.

On motion of Mr. Jenkins, the bill, H. 1320, was ordered sent to the Senate without engrossment.

H. 555. To provide for the maintenance of the "State Normal School" for colored students and the complete equipment of its class rooms and work shops and to build and furnish additional buildings therefor.

Was taken up. The question was upon the adoption of the amendment offered by the standing committee on Appropriations, said amendment being as follows:

Amend Sec. 1, line 3, by striking out the words "fifteen thousand" and inserting the words "twelve thousand five hundred." Amend by striking out section 2 entirely.

Mr. Fuller offered the following amendment to the amendment offered by the committee:

Amend the amendment by striking out the words "twelve thousand five hundred" and insert in lieu thereof the words "five thousand."

On motion of Mr. Bloch, the amendment offered by Mr. Fuller was laid upon the table.

Mr. Bulger offered the following amendment:

Amend the amendment by striking out twelve and inserting ten where it appears in the amendment.

And the amendment to the amendment was adopted.

And the amendment offered by the committee, as amended by the amendment offered by Mr. Bulger, was adopted.

Yeas, 61; nays, 5.

Yeas:

Messrs:—

Speaker	Haley	Oliver
Altman	Hughston	Parker
Arrington	Jenkins	Pearson
Avery	John	Peete
Ballard (Autauga)	Johnson	Pitts (Perry)
Ballard (Pike)	Killen	Powell (Bullock)
Barton	Kernegay	Pratt
Benners	Lacy (Walker)	Pugh
Bloch	Lancaster	Ragsdale
Brown	Lawson	Rainer
Bulger	Lee (Barbour)	Rattray
Burney	Lee (Houston)	Rowe
Cannon	Long (Morgan)	Rushton
Carmichael (Clay)	Lyons	Sanders
Coleman (Marshall)	Malone	Sherrod
Crum	Maner	Smith (Franklin)
Doyle (Clark)	Mastin	Smith (Lee)
Doyle (Marengo)	Moore	White (Lamar)
Fuller	McDuffie	White (Perry)
Goodwyn	McMillan	Woolf
Gunter		

61

Nays:

Messrs:—

Benson	Glover	Lee (Etowah)
Smith (Etowah)	Turner	

—5.

And the bill:

H. 555. To provide for the maintenance of the "State Normal School" for colored students and the complete equipment of its class rooms and work shops and to build and furnish additional buildings therefor.

As amended, was read a third time, at length, and passed.

Yeas, 50; nays, 27.

Yeas:

Messrs:—

Speaker	Gunter	Pearson
Alford	Haley	Peete
Altman	Jenkins	Powell (Bullock)
Arrington	John	Pratt
Ballard (Autauga)	Killen	Pugh
Ballard (Pike)	Kornegay	Rainer
Barton	Lancaster	Rattray
Benners	Lawson	Rowe
Bloch	Lee (Houston)	Rushton
Brown	Long (Morgan)	Sanders
Bulger	Lyons	Sherrod
Carmichael (Clay)	Maner	Smith (Franklin)
Cranford	Mastin	Tunstall
Doyle (Marengo)	Middleton	White (Lamar)
Dudley	McDuffie	White (Perry)
Edwards	McMillan	Woolf
Goodwyn	Parker	

—50.

Nays:

Messrs:—

Avery	Hoffman	Powell (Bullock)
Benson	Hughston	Ragsdale
Cannon	Johnson	Sample
Coleman (Marshall)	Lacy (Walker)	Smith (Elmore)
Crum	Lee (Barbour)	Smith (Etowah)
Doyle (Clark)	Lee (Etowah)	Smith (Lee)
Elrod	Malone	Turner
Fuller	Moore	Weaver
Glover	Parker	Williams

—27.

On motion of Mr. Goodwyn, the bill, H. 555, was ordered sent to the Senate without engrossment.

H. 527. To repeal sub-division 84 1-2 of an act entitled an act to better provide for the revenue of the State, approved March 4th, 1903.

Was read a third time, at length, and passed.

Yeas, 57; nays, 1.

Yeas:

Messrs:—

Altman	Goodwyn	Pearson
Arnold	Gunter	Peete
Arrington	Hoffman	Powell (Bullock)
Ballard (Autauga)	Jenkins	Powell (Covington)
Ballard (Pike)	John	Pratt
Barton	Johnson	Pugh
Benners	Kirby	Rainer
Bloch	Kornegay	Rowe
Bulger	Lancaster	Sanders
Burney	Lawson	Sherrod
Cannon	Lee (Barbour)	Smith (Elmore)
Carmichael (Clay)	Maner	Smith (Franklin)
Coleman (Marshall)	Mitchell	Smith (Lee)
Cooper	Moore	Tunstall
Crum	McGrory	Turner
Doyle (Clark)	McDuffie	White (Lamar)
Doyle (Marengo)	McMillan	White (Perry)
Edwards	Oliver	Williams
Foster	Parker	Woolf

—57.

Nays:

Mr. Haley

—1.

On motion of Mr. Bulger, the bill, H. 527, was ordered sent to the Senate without engrossment.

H. 1361. To make an appropriation for the payment of the expenses of confederate reunions in this State.

Was read a third time, at length, and passed.

Yeas, 62; nays, 1.

Yeas:

Messrs:—

Altman	Benson	Cranford
Arnold	Bloch	Crum
Arrington	Bulger	Doyle (Clark)
Avery	Burney	Doyle (Marengo)
Ballard (Autauga)	Cannon	Dudley
Ballard (Pike)	Coleman (Marshall)	Edwards
Benners	Cooper	Elrod

Fuller	Mastin	Pugh
Glover	Mitchell	Rainer
Goodwyn	Moore	Rattray
Gunter	McCrory	Rice
Haley	McDuffie	Rowe
Hughston	McMillan	Sample
John	Norville	Sanders
Killen	Oliver	Seale
King	Parker	Sherrod
Kirby	Pearson	Smith (Elmore)
Lancaster	Peete	Smith (Franklin)
Lee (Barbour)	Powell (Bullock)	Tunstall
Lovelady	Powell (Covington)	Turner
Maner	Pratt	

Nays:

Mr. White (Perry)

—62.

—1.

On motion of Mr. Maner, the bill, H. 1361, was ordered sent to the Senate without engrossment.

GOVERNOR'S MESSAGE.

Montgomery, July 27, 1907.

To the House of Representatives:

It becomes my painful duty to announce to the Legislature the death, of Hon. Edmund Winston Pettus United States Senator from Alabama, on the 27th day of July, 1907, which death leaves a vacancy in said office.

It will become the duty of the Legislature, at its present session, to fill said vacancy by election.

B. B. Comer,
Governor.

GOVERNOR'S MESSAGE.

Montgomery, July 27, 1907.

To the House of Representatives:

I herewith transmit to the Legislature an invitation, extended by the citizens of Selma to the Executive, Leg-

islative and Judicial department of the State of Alabama, inviting the members of said departments to attend the funeral ceremonies of the late Edmund Winston Pettus, the same to be held at Selma on Tuesday, July 30, 1907, at 12:30 p. m.

B. B. Comer,
Governor.

July 29, 1907.

Hon. B. B. Comer, The Governor:

Dear Sir:—At a mass meeting of the citizens of Selma, held yesterday afternoon, I was directed to indicate to you, and through you to the Legislature and Supreme Court, that it is the urgent desire of the people of Selma that your excellency and the other executive officers of the State, the Legislature and the Supreme Court should attend the funeral ceremonies of the beloved Pettus.

Respectfully,
H. F. Reese.

On motion of Mr. Williams, the House accepted the invitation.

RESOLUTION.

The following resolution was introduced and referred to the committee on Rules:

By Mr. Sample:

~~H. R. 324. Be it resolved by the House, that the~~
Senate at the request of the House return to the House, House bills 988, 989 and 993 for further consideration of the House. Each of said bills being local bills for Morgan county.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following resolution with a favorable report:

By Mr. John:

H. J. R. 325. 1. Resolved by the Legislature of Alabama, That, having received notice of the death of Hon.

Edmund Winston Pettus, whereby the office of Senator from Alabama in Congress of the United States, for the term ending March 4th, 1909, is vacant:

That the two Houses of this Legislature will at noon on Tuesday, August 6th, 1907, that day being the second Tuesday after notice of the vacancy, proceed to elect a Senator for the unexpired time ending March 4th, 1909; and at noon on Wednesday, August 7th, 1907, the members of the two Houses will convene in joint assembly in the Hall of the House of Representatives to verify the votes cast and declare who is duly elected Senator for that unexpired term.

2. That as the Legislature of Alabama will not be in regular session again till after the expiration of the term of office of Senator on March 4th, 1909, that each House shall immediately after the election provided for in the first resolution above proceed to elect a Senator from Alabama in the Congress of the United States for the term of six years beginning March 4th, 1909, and the members of the two Houses will convene in joint assembly, immediately after the joint assembly provided for in the first resolution above, and verify the votes cast and declare who is duly elected Senator for the term of six years beginning March 4th, 1909.

3. That the Legislature when it adjourns Monday, July 29th, 1907, adjourn to meet Thursday morning, August 1st, 1907, and when it adjourns Friday, August 2nd, 1907, it be to meet Tuesday, August 6th, and that it adjourn finally at the end of August 7th, 1907..

And the resolution was adopted.

By Mr. Kirby:

H. R. 326. Resolved, that beginning tonight, July 29th, at the night session the call of the committees shall be called through the alphabet one time for the purpose of calling up local bills. After the call is finished the call of the roll shall begin where the last call was left off on the last legislative day for the purpose of calling up general bills.

Resolved, further, that the House remain in session from now on until 11 o'clock p. m.

And the resolution was adopted.

RESOLUTION.

The following resolution was introduced and referred to the committee on Rules:

By Mr. Goodwyn:

H. J. R. 327. Resolved by the House, the Senate concurring, that the members of the House and Senate attend in a body the funeral of the lamented Edmund Winston Pettus at Selma, tomorrow, July 30th, 1907. Resolved further, that a committee of five, composed of three from the House and two from the Senate, be appointed to make the necessary arrangements.

On motion of Mr. Sherrod, S. 513, which was referred to the standing committee on Penitentiary and Criminal Administration, was recommitted to the standing committee on Judiciary.

Mr. Goodwyn withdrew his motion to take from the adverse calendar H. R. No. 314.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bills:

S. 476. To amend section 3 of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama in the counties of Mobile and Baldwin, approved February 9, 1891.

And sends same herewith to the House without engrossment with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Pursuant to constitutional requirement notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama for the purpose of amending section 3 of an act entitled "an act to pro-

tect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9th, 1891, which said section 3 reads as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell, or offer for sale any fish between the fifteenth day of March and the fifteenth day of June of each year; Provided, That the provisions of this section shall not apply to salt fish nor salt water fish."

It is intended by the bill to be introduced at the present session to amend said section 3 so as to make it read as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell, or offer for sale any fish between the fifteenth day of March and the fifteenth day of June of each year; Provided, That the provisions of this section shall not apply to salt fish nor salt water fish, nor to cat fish, nor to fish of any kind or species caught with hook and line, nor to fish caught outside the boundaries of the State of Alabama.

The State of Alabama, }
Baldwin County. }

Personally appeared before me, W. D. Stapleton, a notary public, in and for said Baldwin county, State of Alabama, W. C. Dinwiddie, who, being by me duly sworn, deposes and says on oath that he is the business manager of the Baldwin Times; that the said The Baldwin Times is a newspaper published in the town of Bay Minette, Baldwin county, Alabama; and, affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four consecutive weeks in the said The Baldwin Times; that the fourth publication of said four consecutive publications of said notice was made in the said The Baldwin Times on June 20, 1907.

W. C. Dinwiddie,
Business Manager, The Baldwin Times.

Subscribed and sworn to before me this 29th day of June, 1907.

W. D. Stapleton,
Notary Public, Baldwin County, Alabama.

The State of Alabama, }
Mobile County. }

Personally appeared before me, Joseph H. Lyons, a notary public, in and for said Mobile county, State of Alabama, Thos. B. Allman, who, being by me duly sworn, deposes and says on oath that he is the manager of the circulating department of The Mobile Daily Herald; that the said The Mobile Daily Herald is a newspaper published in the city of Mobile, Mobile county, Alabama; and, affiant further says on oath that the following printed notice pasted to this affidavit was published once a week for four consecutive weeks in the said The Mobile Daily Herald, that the fourth publication of said four consecutive publications of said notice was made in the said The Mobile Daily Herald on June 6th, 1907.

Thos. B. Allman,
Manager Circulating Department,
The Mobile Daily Herald.

Subscribed and sworn to before me this 7th day of June, 1907.

Joseph H. Lyons,
~~Notary Public, Mobile County, Alabama.~~

NOTICE.

Pursuant to constitutional requirement notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama for the purpose of amending section 3 of an act entitled "an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9,, 1891, which said section 3 reads as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell, or offer for sale, any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of this section shall not apply to salt fish nor salt water fish."

It is intended by the bill to be introduced at the present session to amend said section 3 so as to make it read as follows:

"Sec. 3. Be it further enacted, That it shall be unlawful for any person to sell or offer for sale any fish between the fifteenth day of March and the fifteenth day of June of each year; provided, that the provisions of this section shall not apply to salt fish nor salt water fish, nor to catfish, nor to fish of any kind or species caught with hook and line, nor to fish caught outside the boundaries of the State of Alabama."

S. 471. To amend section one of an act, approved December 7th, 1896, entitled an act to amend section 1 of an act entitled an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river, and the tributaries of these streams in Mobile county, approved February 18th, 1895.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given of the intention to apply to the Legislature of Alabama, at its adjourned session, commencing on the day of July 8th, 1907, for the passage of a law making it unlawful for any person to use, for the purpose of catching fish in Little river, Mobile county, and the tributaries thereof, or within three hundred feet of the mouth thereof, any seine, gill net or tresmire net, or net of like kind, excepting, however, nets known as cast nets, and to make the violation thereof a misdemeanor, said law to be incorporated as an amendment

to an act approved December 7th, 1896, for the protection of fish in Deer river, East Fowl river, West Fowl river, and Bayou La Batre.

Mobile, May 2, 1907.

D. T. McLean.

The State of Alabama, }
Mobile County. }

Before me, Jno. E. Mitchell, a notary public in and for Mobile county, Alabama, personally appeared Thomas B. Allman, who being first duly sworn, says that he is cashier of the Daily Herald, a newspaper published in the city of Mobile, Alabama; that the above notice was published once a week, for four consecutive weeks, in said Daily Herald, on to-wit, May 2nd, 9th, 16th, 23rd 1907.

Thomas B. Allman.

Subscribed and sworn to before me this 27th day of June, 1907.

Jno. E. Mitchell,

Notary Public, Mobile County, Alabama.

S. 530. To repeal an act entitled an act to abolish the county court of Marion county, approved Feb. 1, 1895, and to provide for a county court hereafter in Marion county, Alabama, under the code as heretofore.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

The State of Alabama, }
Marion County. }

Notice is hereby given of my intention to apply to the Legislature of Alabama, session, 1907, for a law to repeal an act entitled, "an act to abolish the county court of Marion county," approved February 1st, 1895.

This, 3rd day of December, 1906.

R. W. Quinn.

The State of Alabama, }
 Marion County. }

Before me, Mack Pearce, Judge of Probate in and for said State and county, this day personally appeared G. J. Wilson, who, being by me first duly and legally sworn, deposes and says that he is editor and publisher of the Marion County News, a weekly newspaper published at Hamilton, in said Marion county, Alabama, and that a certain notice, a true and correct copy of which is hereto attached, was inserted in said Marion County News, and was published once a week for four consecutive weeks in said newspaper before the making of this affidavit.

G. J. Wilson, Pub. News.

Sworn to and subscribed to before me this, the 3rd day of January, A. D., 1907.

Mack Pearce,
 Judge of Probate.

S. 604. To amend section 1 of an act entitled an act "To define and prohibit the unlawful giving, issuing, using or receiving free passes, rebates, reductions or discounts for transportation by common carriers of passengers and to punish the unlawful giving, issuing, using or receiving the same," approved Feb. 14, 1907.

And sends same herewith to the House.

S. 487. To authorize incorporated cities and towns in this State which have within their corporate limits ancient, private or family cemeteries or burial grounds to contract for their care and maintenance.

And sends same herewith to the House.

J. A. Kyle,
 Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing message from the Senate, were read one time and referred to appropriate standing committees, as follows:

Local Legislation, S. 476, S. 471, S. 530.

Commerce and Common Carriers, S. 604.

Public Health, S. 487.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills, your signature thereto is requested:

S. 407. To vacate the dedication of the following alleys and part of a street in the Elyton Land Company's survey in the city of Birmingham, Alabama: the alley bisecting block 94 and the alley bisecting block 95 and that part of Fifteenth street lying between the north line of First avenue and the south line of Second avenue; and to provide compensation for any property owner injured thereby.

S. 413. To prevent the sale, barter, exchange and giving away of spirituous, vinous or malt liquors, or intoxicating beverages of any kind, within two (2) miles of any church or house used for religious worship in the town of Sanford, in Covington county, and to provide punishment for violations of this act.

S. 415. To repeal an act entitled "An act to authorize the commissioners' court of Butler county to order elections for the establishment of districts in which stock shall be prevented from running at large.

S. 418. To fix the compensation to be allowed the sheriff and clerk of the circuit court of Conecuh county, Alabama, for all official duties for the compensation of which no express provision is made by law.

S. 421. To prohibit the operation of traction engines on the public roads of Bibb county, Alabama.

S. 450. To refund to Selma mortgage tax paid by it on the deed of trust made by it to the Chicago Title & Trust Company to secure the Selma water works bonds.

S. 478. To provide for the election of a harbor master and three deputy harbor masters and to regulate their duties and provide for their compensation.

S. 490. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to-wit: All that part of the alleys lying and running through blocks 83, 122, 126 and 168, lying within one hundred feet of Fourteenth street and the continuation thereof, the said blocks be-

ing described according to the survey, map and plan of the city of Bessemer, by the Bessemer Land & Improvement Company, and situated in Bessemer, Jefferson county, Alabama.

S. 491. To vacate and annul the dedication of the following highways and parts of highways situated in Birmingham, Jefferson county, Alabama, to-wit: All of Morris street from its beginning at Eighth street to its end abutting the property heretofore known as the Owen property. All of Eighth street from First avenue north, to the right of way of the Alabama Great Southern Railroad Company. All of Minnie street from First avenue, north, to the end thereof abutting the property of the Tennessee Coal, Iron and Railroad Company.

S. 526. To regulate the fine and forfeiture fund of Montgomery county, and provide for the registration and payment of claims against said fund.

S. 560. To provide for the appointment by the judges of the city court of Birmingham of the necessary bailiffs for said court and to fix the duties, powers, liabilities and compensation of said bailiffs and to provide for the payment of their compensation.

S. 574 1-2. To ratify and confirm and legalize all warrants heretofore issued by the court of county commissioners of Wilcox county for the use and benefit of the underwriters of the Camden branch of the Louisville & Nashville railroad.

S. 575. To ratify and confirm the acts and contracts of the court of county commissioners of Wilcox county, or other authorized agents of said county, borrowing money for the use and benefit of said county and to ratify and confirm the warrants given for money so borrowed and for the interest thereon, and for warrants heretofore issued for said purpose.

S. 420. To further regulate the working of the public roads of Bibb county, Alabama. To further provide and regulate the building and repairing of bridges along said public roads, and further provide for and regulate the maintenance and up-keep of said public roads and

bridges, to further regulate the public road affairs of said county and to provide punishment for the violation of this act.

S. 541. To appropriate the sum of fifty thousand dollars to defray the expenses incurred and to be incurred in connection with the railroad rate litigation now pending, or which may hereafter be instituted, between the various railroads of Alabama and the railroad commission.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing message from the Senate.

Montgomery, Ala., July 29, 1907.

Hon. A. H. Carmichael,
Speaker of the House of Representatives.

Dear Sir:—

In obedience to instructions, I beg leave to hand you a copy of a resolution adopted at the recent annual meeting of the Alabama Press Association, to-wit:

~~“Resolved, That the Alabama Press Association earnestly asks the passage by the Legislature of Alabama of the bills introduced by Representatives M. W. Rushton, of Crenshaw, and L. J. Haley, Jr., of Jefferson county, amending the libel laws of Alabama.”~~

Resolved, further, that the secretary of this association is hereby instructed to furnish a copy of this resolution to the President of the Senate, and also to the Speaker of the House of Representatives.

Respectfully yours,
Jacob Pepperman,
Secretary Alabama Press Association.

The above communication was ordered spread upon the journal.

A communication was received from Mr. William R. Sawyer, which was referred to the standing committee on Judiciary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed:

S. 577. To fix the times and places of holding the circuit courts in the Fifth judicial circuit of Alabama.

And herewith sends the same to the House without engrossment.

And the Senate has originated and adopted the following Senate joint resolution:

S. J. R. 107. Resolved, by the Senate of Alabama, the House of Representatives concurring, That, whereas, the record of a long life is ended and General Edmund Winston Pettus, Alabama's venerable and much beloved Senator, rests from his labors: He was a patriot and statesman and Alabama mourns his death.

Be it therefore resolved: First. That when the Legislature adjourns today, it shall stand adjourned until Thursday, Aug. the 1st, 1907, for the purpose of attending in a body his funeral at Selma.

Second. That the Legislature attend the funeral in a body.

Third. That there is hereby raised a joint committee on arrangements, consisting of three (3) Senators and six (6) members of the House, to be appointed respectively by the presiding officer of the Senate and House.

Fourth. That said committee be and is hereby fully authorized and empowered to make all proper and necessary arrangements for attending said funeral, including transportation of the Legislature and all executive and judicial officers of the State and to contract with the railroad for the use of a special train for said purpose.

And sends same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bill, the title to which is set out in the above and foregoing message from the Senate, was read one time and referred to an appropriate standing committee, as follows:

Judiciary, S. 577.

The Senate resolution No. 107 was, on motion of Mr. Kornegay, concurred in and adopted.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended, as therein shown, and as thus amended has passed House bill:

H. 929. To alter or rearrange the boundary lines of the city of Birmingham, Alabama.

And returns same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. King, the House concurred in the Senate amendment to the bill, H. 929, said Senate amendment being as follows:

Amend section 2 by making the same read as follows:

2. That the provisions of this act shall not go into effect until the first day of October, 1900, ~~except as to those provisions for the holding of the election and declaration of the result herein provided for.~~

Also amend further by adding:

Sec. 3. That an election shall be called by the mayor of the city of Birmingham within not less than three months nor more than five months from the date of the passage and approval of this act, to determine whether or not the same shall go into effect. At such election all the qualified electors, residing within the territory described in section 1 hereof, shall be entitled to vote. There shall be an official ballot furnished by the city of Birmingham, upon which shall be printed the words, "For Greater Birmingham," and also the words,

"Against Greater Birmingham." Those favoring the incorporation of the territory mentioned in section 1, into the city of Birmingham, shall manifest the same by making a cross-mark, thus, X, either before or after the words, "For Greater Birmingham"; those opposed shall manifest the same by making a cross-mark, thus, X, either before or after the words, "Against Greater Birmingham." If at such election a majority of all the legal voters participating therein shall vote in favor of Greater Birmingham, then this act shall become in full force and effect on the first day of October, 1909; but if a majority of the qualified voters participating in such election shall vote against Greater Birmingham, then this act shall be null and void.

This election shall be held under the provisions of the general laws of this State, as far as the same may be applicable and except as herein modified. Election booths and polling places shall be provided at each polling place in the present limits of the city of Birmingham, and at each of the towns included within the territory described in section 1 of this act, and where there is no regular polling place in either of said towns or wards, the same shall be designated by the mayor of the city of Birmingham. In the unincorporated portions of the territory described in section 1 of this act, polling places shall be established when deemed necessary for the convenience of the electors residing therein, at such places as may be designated by the mayor of the city of Birmingham; if no polling place is designated in such unincorporated territory or any part thereof, then the qualified electors therein shall vote at the regular voting place at which they are accustomed to vote in general elections.

In the discretion of the mayor of the city of Birmingham, additional polling places to those provided in general elections may be established.

There shall be three managers, two clerks and one returning officer of said election at each polling place, to be appointed by the mayor of Birmingham. At least one manager at each polling place and one clerk at each polling place shall be appointed from a list of those

favoring Greater Birmingham, to be furnished by the advocates of the measure, and at least one manager and one clerk opposed to Greater Birmingham shall be appointed from the list furnished by the opponents of the movement, provided such lists are so furnished; if no lists are furnished by either the advocates or opponents of the measure, then it shall be the duty of the mayor of Birmingham to see as far as practicable that those favoring and those opposing the movement shall have representation at each polling place. In addition thereto, the advocates of the measure having the matter in charge, shall have the right to designate, at each polling place on the day of election, a watcher, who may also act as challenger, and the opponents of the measure shall have the same right. Within forty-eight hours from the time of holding election it shall be the duty of the returning officer at each polling place to bring the returns to the mayor of Birmingham at the city hall, and within five days from the holding of the election it shall be the duty of the mayor and aldermen of Birmingham to consolidate the returns and canvass the votes, and declare the result, acting in that respect as a canvassing board under the general laws of the State.

The mayor of Birmingham shall give notice of the day of holding such election, and of the places of voting, in case he should in his discretion appoint any voting place in said territory in addition to the regular voting places, by publication in some newspaper published in the city of Birmingham at least once a week for four consecutive weeks, before the day of holding such election. Notice shall also be given by the mayor of Birmingham of the result of said election, within thirty days after the vote shall have been canvassed as herein provided, by publication at least twice in some newspaper published in the city of Birmingham. The managers, clerks, and returning officers of said election shall be entitled to the same compensation as managers, clerks, and returning officers in general elections, and such compensation shall be paid by the city of Birmingham as other bills of such city are paid. All vacancies caused by failure or refusal of managers, clerks, and re-

turning officers to serve, shall be filled in the same manner as such vacancies are filled under the general election laws of the State.

Yeas, 65; nays, 1.

Yeas:

Messrs:—

Speaker	Gunter	Pearson
Alford	Haley	Peete
Altman	Hoffman	Pitts (Perry)
Avery	John	Powell (Bullock)
Ballard (Autauga)	Killen	Powell (Covington)
Barton	King	Power
Benners	Kirby	Pugh
Bloch	Kornegay	Itagsdale
Brown	Lancaster	Rainer
Bulger	Lawson	Rice
Burney	Lee (Barbour)	Rowe
Cannon	Lee (Houston)	Rushton
Carmichael (Clay)	Long (Butler)	Sample
Coleman (Marshall)	Lyons	Sherrod
Cooper	Malone	Smith (Franklin)
Cranford	Maner	Smith (Lee)
Crum	Mitchell	Steagall
Doyle (Clark)	Moore	White (Lamar)
Doyle (Marengo)	McDuffie	White (Perry)
Edwards	McMillan	Williams
Elrod	Oliver	Woolf
Fuller	Parker	

—65.

Nays:

Mr. Glover

—1.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed:

S. 558. To establish a dispensary in and for the town of Berry in the county of Fayette, State of Alabama, and to provide for the conduct and regulation of the same.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Is hereby given of the intention to apply for the passage of the following bill at the July session, 1907, of the Legislature of Alabama, to-wit:

AN ACT

To establish a dispensary in and for the town of Berry, in the county of Fayette, State of Alabama, and to provide for the conduct and regulation of the same. Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby established in the corporate limits of the town of Berry, in the county of Fayette, in this State, a dispensary for the said town of Berry, to be conducted and carried on by said town in its corporate capacity, for the buying and selling of spirituous, vinous and malt liquors, subject to the conditions and restrictions in this act contained. The place at which such business is carried on shall be called a dispensary, and said place shall be within the corporate limits of said town. The said town for the purpose of inaugurating said business shall be and is ~~authorized to invest therein a sum of money not exceeding~~ two thousand dollars. The liquors bought and sold therein shall be of the purest and best quality.

Section 2. Said business shall be conducted by said town of Berry through a dispenser and such other officers and agents as it may appoint or select for that purpose. The office of the dispenser for said town is hereby created, and his term of office shall be for one year and until his successor is elected and qualified. The dispenser and said other officers and agents shall be elected by the legislative body of said town. The first dispenser shall be elected as soon as practicable after this act becomes operative.

Section 3. Said dispenser and all other officers, agents and persons employed in said dispensary shall be over the age of twenty-one years, and shall be esteemed as honest, temperate, law-abiding and competent to conduct the business for which they are employed, and shall be under the direction and control of said legislative body, shall manage and carry on said dispensary and purchase and sell the liquors for the same, and said town of Berry shall provide the money it wishes him to use in conducting said business. The liquors shall be purchased and sold for cash only, and the purchase and sale of the same except for cash is hereby prohibited.

Section 4. Before entering upon the duties of his office, said dispenser shall make affidavit before an officer authorized to administer oaths, that he will obey all the laws of the State of Alabama and the town of Berry, relative to the sale, giving away or otherwise disposing of liquor of any kind, and he shall also execute a bond in the sum of two thousand, five hundred dollars, payable to the town of Berry, for the honest and faithful discharge of his duties, as such dispenser, such bond to be approved by legislative body of said town. For neglect of duty, incompetency, misfeasance or malfeasance in office said dispenser may be removed from office, such removal to be made by the legislative body, should such vacancy occur in said office of dispenser, the legislative body of such town shall elect his successor, who shall hold office for the term of one year thereafter and until his successor is elected and qualified.

Section 5. The said town of Berry shall pay to its dispenser a salary which shall be fixed by the legislative body of such town before said dispenser is elected. Said salary shall not be less than one hundred dollars per annum, nor more than one thousand dollars per annum, and shall be paid in equal monthly installments on the first day of each month. Said legislative body shall not make or permit the amount of said salary or that of any of its officers or agents to depend on the amount of sales that may be made by the dispenser.

Section 6. The dispenser shall not sell or permit the sale of any liquor of any kind in any quantity less than one-half pint and he shall not make or permit to be made any sale after 6 p. m. of one day, or before 6 a. m. of the next day. Said dispensary shall not be kept open or any person admitted therein between the hours of 6 p. m. and 6 a. m. following.

Section 7. Said dispenser shall not drink, consume or give away liquor of any kind or in any quantity on the premises on which said dispensary is located. Said dispenser shall not permit or suffer any person to drink, consume or give away any liquor of any kind on said premises, but this section shall not be construed so as to prohibit the dispenser or some employee designated by him from sampling liquors which he may contemplate purchasing. Said dispenser shall report to the grand jury any person who violates any of the provisions of this section.

Section 8. Any person who consumes any liquor on said premises, except as permitted in section 7 of this act, shall be guilty of a misdemeanor, and on conviction, shall be fined not less than fifteen nor more than fifty dollars.

Section 9. Said dispenser shall not sell or permit to be sold, any spirituous, vinous or malt liquors or intoxicating drinks of any kind, that are not contained in sealed packages. He shall not receive or keep any broken packages in said dispensary. If any original packages should be broken, the contents shall at once be bottled and the bottles sealed.

Section 10. The dispenser shall buy and sell for cash only. He shall keep an accurate account of his purchases and the amount of each day's sales. He shall make to the legislative body of the town of Berry, weekly reports on such forms and under such directions, rules and regulations as said legislative body may require, and he shall give full and accurate information as to the conditions, expenses, profits, losses and status of the business in writing or orally, or both, whenever and as often as said legislative body, or any member of said body, shall require, and pay into the treasury of

said town, the funds received by him from the sale of liquor as may be required by the rules and regulations adopted by said town. Subject to the provisions of this act, the legislative body of the town of Berry shall regulate and control the management of said business.

Section 11. No spirituous, vinous or malt liquors of any kind, shall be sold in said town of Berry except as herein provided, and any person who violates this section, shall be guilty of a misdemeanor, and on conviction, shall be fined not less than fifty, nor more than one hundred dollars.

Section 12. The term legislative body where it appears in this act, is intended to include the law-making body of the town of Berry, whether the same be called the mayor and council of the town of Berry, the intendent and council of the town of Berry, or mayor and city council of Berry, or by whatever name it may be called.

Section 13. No doors, gates, windows or other openings with adjacent houses, so as to permit ingress and egress into and out of such house from and into said dispensary shall be allowed.

Section 14. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Section 15. This act shall go into effect immediately, upon its passage.

Section 16. For the dispensary operated under the provisions of this law, the town of Berry shall annually pay into the Treasury of the State of Alabama, as a license tax, the same amount of money that in the year 1906 was required to be paid by a retail liquor dealer doing business in town of Berry, or such license tax as may hereafter be required by law to be paid by dispensaries in this State.

Section 17. The officers and agents engaged in said dispensary may be removed or dismissed at the will of the legislative body, of said town, except said dispenser, who may be removed by said legislative body for neglect of duty, incompetency, misfeasance, or malfeasance in office, of which said legislative body shall be the sole judge

The State of Alabama, }
 Fayette County. }

Before me, Cecil A. Beasley, a notary public in and for said State and county, personally appeared R. J. Smith, who, being duly sworn upon his oath, says that notice of the intention to apply to the present session of the Legislature of Alabama for the passage of the foregoing bill, to-wit: To establish a dispensary at Berry, Alabama, a copy of which is hereto attached, has been given by publication once a week for four consecutive weeks in the Fayette Banner, a weekly newspaper published in Fayette county, Alabama, and generally circulated in said county, which published notice was made without cost to the State and stated the intention to make application and contained the substance of the proposed bill, that is to say, a copy of the proposed bill. Affiant further states he is a printer in the office of said paper.

R. J. Smith.

Sworn and subscribed to before me on this the 13th day of July, 1907.

Cecil A. Beasley,
 Notary Public.

J. A. Kyle,
 Secretary

SENATE MESSAGE.

The Senate bill, the title to which is set out in the ~~above and foregoing message from the Senate~~, was read one time and referred to an appropriate standing committee as follows:

Temperance, S. 558.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in:

H. J. R. 325. Relative to the death of U. S. Senator Edmund Winston Pettus, and setting Tuesday, Aug. 6, 1907, as the day on which to elect his successor, ect.

J. A. Kyle,
 Secretary.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills have examined the following House bills and beg leave to report the same correctly enrolled:

H. 1102. To amend sections 8 and 10 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in Colbert county to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved February 15th, 1907, and to amend said act by adding sections 19 and 20 thereto.

H. 1119. To declare the ownership of all books of record, all books of every character kept by any officer of the circuit court of Henry county at Dothan and Columbia, and all papers of every character pertaining to any cause, civil or criminal, theretofore disposed of, or pending or originating in said courts and not finally disposed of, including indictments where no arrests had been made, at the time of the organization of the county of Houston to be the property of Houston county and same to be kept in the office of the clerk of the circuit court of Houston county; to give the circuit court of Houston county jurisdiction of all such causes, civil or criminal, including indictments, where no arrest had been made at the time of the organization of said Houston county, except where the defendant was at the time of the commission of the offense alleged, in what is now Henry county, in which latter event the circuit court of Henry county shall have jurisdiction of the offense; to prescribe the duties and powers of the clerk of the circuit court of Houston county and of the sheriffs of their respective counties with reference to the issuance of process and the execution thereof in such causes, and to

ratify and confirm all orders and judgments and proceedings of the circuit courts of Henry and Houston counties in any of said causes, and the acts of the clerks of the circuit courts of said counties and of the sheriffs of their respective counties within their powers and duties, in and about any of said causes, including the issuance of capias and arrests thereon on indictments returned to said circuit courts of Henry county at Dothan and Columbia, and to declare same of legal force and effect the same as though such cases had originated in said circuit courts of Houston or Henry counties.

H. J. R. 316. Relative to the printing of two thousand copies of the municipal code bill by the Secretary of State.

H. 1013. To provide for the pyament out of the county treasury of Shelby county, Alabama, the sum of \$336.91 as the salary or compensation and expenses of the State examiner while engaged in making an examination of books and accounts of the various county officers of said county of Shelby as they pertain to the county affairs, and to make said claim a preferred claim against said treasury.

H. J. R. 288. Relative to the instructing of our Senators and requesting our Representatives in Congress to use their influence to have money appropriated to open and clean out the Cahaba river.

~~H. 1030. To amend sections two, twenty-seven and thirty-three of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900, and to amend section one of an act approved February the 15th, 1901, entitled an act to amend sections eight, nine and twenty-six of an act entitled an act to establish the Walker county law and equity court, approved December 5th, 1900.~~

H. 1112. To provide for the better construction, repairing, working and maintaining the public roads in Franklin county, Alabama.

H. 1035. To provide for the election of a county solicitor for Wilcox county, to define his duties and fix his compensation.

H. 913. For the maintenance, improvement and protection of the public roads and bridges of Cullman county, Alabama, and to provide for a special road tax therefor; also for the purchase of implements, teams and other things necessary in the construction and improvement of the same; to pay for the same either out of the general fund for the county or the special road and bridge fund; to provide for the appointment by the commissioners court of said county of a road superintendent or superintendents and surveyor or surveyors, fixing their pay, defining their duties and conferring special powers on the commissioners court of said county; providing for the method of employing hands and how certain parties may be required to take out a license for the use of said public roads; providing the method of appointing apportioners and overseers and defining their duties, and how they can be excused from serving as such; defining the road year and those liable to road duty the time they may be required to work; prescribing the manner in which they may pay in lieu of work to the tax collector of said county, and his duty as to same, and the method of warning hands, and defining those who are exempt from road duty.

H. 876. To divide St. Clair county into two chancery districts, to provide for holding court therein, to authorize the appointment of a register for each of said districts, and to prescribe his duties.

H. 1017. To authorize Talladega county, Alabama, to build and construct macadam, chert and gravel public roads and the necessary bridges, culverts and drainways therefor, and to issue bonds of said county, to aid in the construction thereof.

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in

the above and foregoing report of the standing committee on Enrolled bills.

BILL ON THIRD READING.

H. 931. To regulate cities that alter or re-arrange their boundary lines so as to absorb one or more cities or towns, or extinguish the government of one or more cities or towns.

Was read a third time, at length, and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Pitts (Perry)
Alford	Haley	Powell (Bullock)
Altman	Hughston	Praff
Arnold	John	Pugh
Avery	Johnson	Rainer
Ballard (Autauga)	Killen	Rice
Ballard (Pike)	King	Rowe
Benners	Kirby	Rushton
Bloch	Kornegay	Sample
Brown	Lee (Barbour)	Sanders
Bulger	Malone	Sherrod
Burney	Mitchell	Smith (Franklin)
Cooper	Moore	Smith (Lee)
Cranford	McCrary	Steagall
Crum	Oliver	Turner
Doyle (Marengo)	Parker	White (Lamar)
Edwards	Pearson	White (Perry)
Fuller	Peete	
Glover		

—55.

On motion of Mr. King, the bill, H. 931, was ordered sent to the Senate without engrossment.

APPOINTMENT OF COMMITTEE.

The Speaker announced the following committee under Senate joint resolution No. 107 to make arrangements for the attendance of the Legislature at the fu-

neral ceremonies of the late United States Senator Edmund Winston Pettus. Messrs. Kornegay, Tunstall, Mitchell, Williams, Seale and Goodwyn.

BILL ON THIRD READING.

H. 1278. To amend sections 7 and 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the counties of this State, approved October 10th, 1903.

Was taken up. Mr. Pitts, of Perry, offered the following amendment to the bill:

Add the following section:

Section 3. That in the event the election required to be held under the preceding section of this act should result against the levying of the tax as provided in said section, then it shall be the duty of the commissioners' courts and boards of revenue of said counties, to order an election to be held in the road districts of said county in the same manner and under the same limitations as prescribed in said preceding section for the purpose of ascertaining whether it is the will of the people of such district or districts that a tax of not more than one-fourth of one per centum of the taxable property in such districts, shall be levied and assessed for the purposes named in said preceding section, and in the event that said election in any of said road districts shall be in favor of levying said tax, then the said commissioners' courts or boards of revenue shall improve or construct the public roads in said district as provided in the preceding section, and upon the same terms and conditions as prescribed in the preceding section.

ADJOURNMENT.

Pending the further consideration of the bill, H. 1278, the hour of six o'clock having arrived, the House adjourned until 8 p. m.

NIGHT SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Haley	Pearson
Alford	Henley	Peete
Altman	Hoffman	Pitts (Perry)
Arnold	Hughston	Powell (Bullock)
Arrington	Jenkins	Powell (Covington)
Avery	John	Power
Ballard (Autauga)	Johnson	Pratt
Ballard (Pike)	Jones	Pugh
Baltzell	Killen	Ragsdale
Barton	King	Rainer
Benners	Kirby	Rattray
Benson	Kornegay	Rice
Bloch	Lacy (Walker)	Rowe
Brown	Lancaster	Hashton
Bulger	Lawson	Sample
Burney	Lee (Etowah)	Sanders
Cannon	Lee (Houston)	Seale
Carmichael (Clay)	Long (Butler)	Sherrod
Coleman (Marshall)	Long (Morgan)	Smith (Elmore)
Cranford	Lovelady	Smith (Etowah)
Cranford	Malone	Smith (Franklin)
Crum	Maner	Smith (Lee)
Doyle (Clark)	Mastin	Steagall
Doyle (Marengo)	Middleton	Tunstall
Dudley	Mitchell	Turner
Edwards	Moore	Urquhart
Elrod	McCrory	Vann
Foster	McDuffie	Weaver
Fuller	McMillan	White (Lamar)
Glover	Norville	White (Perry)
Goodwyn	Oliver	Williams
Gunter	Parker	Woolf

A quorum was present.

PRIVILEGES OF THE FLOOR

Were extended to Hon. Thos. H. Clarke and J. Kirk Jackson, of the city, for tonight, and Hon. Wm. Garner for tonight.

BILLS ON THIRD READING.

H. 1133. To authorize cities of the State of Alabama having, according to the next preceding Federal census, a population of more than thirty-five thousand, to compel the construction and maintenance of bridges, viaducts and tunnels and their approaches, over, under or across railroad tracks within the city limits, and to provide for defraying the expense of the same.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Oliver
Alford	Gunter	Parker
Altman	Haley	Peete
Arnold	Hoffman	Pitts (Dallas)
Arrington	Hughston	Pitts (Perry)
Avery	Jenkins	Pratt
Ballard (Autauga)	John	Pugh
Barton	Johnson	Rainer
Benners	Kirby	Rattray
Benson	Kornegay	Rushton
Bloch	Lawson	Sample
Brown	Lee (Barbour)	Sanders
Bulger	Lee (Etowah)	Smith (Elmore)
Burney	Lee (Houston)	Smith (Lee)
Cannon	Maner	Turner
Cooper	Mitchell	Urquhart
Doyle (Marengo)	Moore	White (Lamar)
Fuller	McCrory	White (Perry)
Glover	McMillan	Williams

—56.

On motion of Mr. Haley, the bill, H. 1133, was ordered sent to the Senate without engrossment.

S. 485. To amend section (6) six, of an act entitled an act to create the office of associate judge of the city court of Gadsden; to provide for the qualification, election and appointment of such judge; to fix the term of office; to define his powers and duties and to provide for the payment of his salary.

Yeas, 55; nays, 1.

Yeas:

Messrs:—

Speaker	Fuller	Malone
Alford	Glover	Maner
Altman	Gunter	Mastin
Arnold	Haley	Mitchell
Arrington	Henley	Moore
Avery	Hughston	Oliver
Baltzell	Jenkins	Pratt
Barton	John	Pugh
Benson	Johnson	Rowe
Bloch	Jones	Sample
Brown	Killen	Seale
Bulger	King	Sherrod
Burney	Kirby	Steagall
Cannon	Kornegay	Tunstall
Cooper	Lawson	Turner
Cranford	Lee (Etowah)	Vann
Crum	Lovelady	Weaver
Dudley	Lyons	Woelf

~~Miss~~

Nays:

Mr. Smith (Etowah)

—1.

H. 1378. To allow cities and towns to issue bonds to refund outstanding indebtedness.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Municipal Organization, said amendment being as follows:

Amend the title and the bill by substituting the following:

A BILL

To be entitled an act to allow cities and towns to pay outstanding indebtedness not evidenced by bonds.

Section 1. Be it enacted by the Legislature of Alabama, That cities and towns shall have the power within one year from the passage of this act to pay any outstanding indebtedness not evidenced by bonds, by issuing bonds not in excess of the amount of such indebtedness, and within the limits prescribed by the Constitution of the State. Such bonds shall not be sold for less than par and shall not bear a rate of interest greater than five per cent. nor run for a longer time than thirty years, and shall only be issued after an election shall have been held by the qualified electors of such city or town authorizing such bond issue. And such election authorizing the issuance of such bonds shall be conducted in the manner prescribed by law for the issuance of bonds for the purpose of making improvements.

And the amendment was adopted.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	McMillan
Alford	Glover	Oliver
Altman	Goodwyn	Parker
Arnold	Gunter	Pearson
Arrington	Haley	Peete
Avery	Hoffman	Pitts (Perry)
Ballard (Pike)	Hughston	Powell (Bullock)
Barton	Jenkins	Pratt
Benners	Johnson	Pugh
Benson	Kirby	Rainer
Bloch	Kornegay	Rattray
Brown	Lancaster	Rice
Carmichael (Clay)	Lawson	Rowe
Cooper	Lee (Houston)	Rushton
Cranford	Maner	Sample
Crum	Mitchell	Smith (Elmore)
Doyle (Clark)	Moore	Smith (Franklin)
Doyle (Marengo)	McDuffie	Steagall

Turner
Urquhart

White (Lamar)
White (Perry)

Williams

—59.

And the bill:

H. 1378. To allow cities and towns to issue bonds to refund outstanding indebtedness.

As amended, was read a third time, at length, and passed.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Peete
Alford	Gunter	Pitts (Perry)
Altman	Haley	Powell (Bullock)
Arnold	Hoffman	Pratt
Arrington	Hughston	Pugh
Avery	Jenkins	Rainer
Ballard (Autauga)	Johnson	Rattray
Barton	Kirby	Rice
Benners	Kornegay	Rowe
Benson	Lancaster	Rushton
Bloch	Lawson	Sample
Brown	Lee (Etowah)	Smith (Elmore)
Carmichael (Clay)	Maner	Smith (Franklin)
Cooper	Middleton	Steagall
Cranford	Moore	Turner
Crum	McDuffie	Urquhart
Doyle (Clark)	McMillan	White (Lamar)
Doyle (Marengo)	Oliver	White (Perry)
Fuller	Parker	Williams
Glover	Pearson	

—59.

On motion of Mr. Gunter, the bill, H. 1378, was ordered sent to the Senate without engrossment.

S. 326. To repeal an act "entitled an act to amend section 4630 of the criminal Code, so far as the same relates to beats No. 10 and 11, in Bibb county, Ala., same approved Feb. 21, 1899."

Was taken up. The question was upon the adoption of the substitute reported by the standing committee on Local Legislation, said substitute being as follows:

A BILL

To be entitled an act to repeal an act entitled "An act to amend section 4630 of the Code of 1896 of Alabama so far as same relates to beats 10 and 11 of Bibb county, Alabama, approved Feby. 21st, 1899.

Be it enacted by the Legislature of Alabama:

Section 1. That an act entitled "An act to amend section 4630 of the Code of 1896 of Alabama, so far as same relates to beats 10 and 11 of Bibb county, Alabama, approved Feby. 21st, 1899," be and the same is hereby repealed.

Section 2. That this act shall not go into effect until the fifteenth day of November, 1908.

And the substitute was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Alford	Jenkins	Pugh
Altman	John	Rainer
Arnold	Johnson	Ratray
Arrington	Jones	Rice
Avery	Killen	Rowe
Baltzell	King	Sample
Barton	Kirby	Sanders
Benners	Kornegay	Sanford
Bloch	Lawson	Scale
Brown	Malone	Sherrod
Burney	Maner	Steagall
Cannon	Mastin	Thompson
Cooper	Norville	Tunstall
Cranford	Oliver	Turner
Crum	Pearson	Vann
Fuller	Peete	Weaver
Glover	Pitts (Perry)	Williams
Gunter	Power	Woolf
Haley	Pratt	

—56.

And the bill:

S. 326. To repeal an act "entitled an act to amend section 4630 of the criminal Code, so far as the same re-

lates to beats No. 10 and 11, in Bibb county, Ala., same approved Feb. 21, 1899."

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	McCrory
Alford	Haley	McDuffie
Altman	Henley	Oliver
Arnold	Hoffman	Peete
Avery	Jenkins	Pratt
Barton	John	Pugh
Benson	Jones	Rainer
Bloch	King	Rattray
Brown	Kirby	Rice
Bulger	Kornegay	Rowe
Burney	Lacy (Walker)	Sample
Cannon	Lancaster	Seale
Cooper	Lawson	Sherrod
Cranford	Long (Butler)	Steagall
Crum	Long (Morgan)	Thompson
Elrod	Malone	Vann
Foster	Maner	Weaver
Fuller	Mastin	Woolf
Glover	Moore	

—56.

H. 1386. To amend section two (2) of an act entitled, "An act to regulate the practice in the circuit court of Calhoun county," approved 12th day of March, 1907.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Baltzell	Burney
Alford	Barton	Cannon
Altman	Benson	Cooper
Arnold	Bloch	Crum
Arrington	Brown	Elrod
Avery	Bulger	Foster

Fuller	Malone	Rice
Glover	Maner	Sample
Gunter	Mastin	Sanders
Haley	Moore	Sanford
Hoffman	McMillan	Seale
Hughston	Oliver	Sherrod
Jenkins	Pearson	Steagall
John	Peete	Thompson
Jones	Power	Turner
Killen	Pratt	Vann
King	Pugh	Weaver
Kirby	Rainer	Wolff
Lawson	Rattray	

—56.

On motion of Mr. Arnold, the bill, H. 1386, was ordered sent to the Senate without engrossment.

H. 1344. To authorize the county board of education of Chambers county to establish a high school anywhere in the county.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Parker
Alford	Glover	Pearson
Altman	Goodwyn	Peete
Arnold	Gunter	Pratt
Avery	Haley	Pugh
Baltzell	Henley	Rainer
Barton	John	Rice
Benners	Johnson	Rowe
Benson	Jones	Sample
Bloch	King	Seale
Brown	Kirby	Sherrod
Bulger	Kornegay	Steagall
Burney	Lawson	Thompson
Cannon	Malone	Tunstall
Cooper	Maner	Turner
Cranford	Mastin	Vann
Crum	Mitchell	Weaver
Elrod	Moore	Wolff
Foster	Oliver	

—56.

On motion of Mr. Oliver, the bill, H. 1344, was ordered sent to the Senate without engrossment.

H. 1360. To prohibit the re-opening of dispensaries for the sale of liquors which have been closed and have ceased to do business, unless re-established as provided by the act approved Feb. 26, 1907, or the act approved March 6, 1907.

Was read a third time, at length, and passed.

Yeas, 57; nays, 2.

Yeas:

Messrs:—

Speaker	Doyle (Clark)	Lancaster
Alford	Doyle (Marengo)	Lawson
Arnold	Dudley	Lee (Houston)
Arrington	Elrod	Mastin
Ballard (Autauga)	Foster	Mitchell
Ballard (Pike)	Fuller	Moore
Barton	Glover	Oliver
Benners	Goodwyn	Peete
Benson	Gunter	Pitts (Perry)
Bloch	Haley	Powell (Bullock)
Brown	Hoffman	Pugh
Bulger	Hughston	Ragsdale
Burney	Jenkins	Rainer
Cannon	John	Ratray
Carmichael (Clay)	Johnson	Rowe
Coleman (Marshall)	Killen	Sample
Cooper	King	Sanford
Cranford	Kirby	Tunstall
Crum	Kornegay	Turner

—57.

Nays:

Messrs:—

Long (Butler) Smith (Etowah)

—2.

On motion of Mr. Oliver, the bill, H. 1360, was ordered sent to the Senate without engrossment.

S. 196. To provide for the election of only one justice of the peace for each precinct within or partly within the city of Montgomery; and to define the powers and jurisdiction of said justices of the peace.

Was read a third time, at length, and passed.

Yeas, 58; nays, 1.

Yeas:

Messrs:—

Speaker	Foster	Power
Alford	Fuller	Pratt
Altman	Glover	Price
Armstrong	Goodwyn	Pugh
Arnold	Gunter	Rainer
Arrington	Haley	Rattray
Avery	Henley	Rice
Baltzell	John	Rowe
Barton	Jones	Sample
Benson	King	Sanders
Bloch	Kirby	Seale
Bulger	Lawson	Sherrod
Burney	Malone	Steagall
Cannon	Maner	Thompson
Cooper	Middleton	Tunstall
Cranford	Oliver	Turner
Crum	Parker	Urquhart
Dudley	Pearson	Vann
Edwards	Peete	Woolf
Elrod		

—58.

Nays:

Mr. Goodwyn

—1.

H. 1390. To provide for the appointment of an official stenographer for the Second judicial circuit of Alabama, and to prescribe his duties, and to fix his compensation.

Was taken up. Mr. Rushton offered the following amendment to the bill:

Amend section (1) one of the bill by striking the words governor of Alabama wherever they occur and insert in lieu thereof the words: The judge of the Second judicial circuit of Alabama. Also amend same section by striking the words "six years" wherever they occur and insert in lieu thereof the words "four years."

Amend section 5 of said bill so as to make it read as follows:

Section 5. Said official stenographer shall receive \$1,200.00 payable in quarterly installments by the counties constituting the circuit. The boards of county commissioners of the respective counties in said circuit are required to provide for the payment of said salary in such quarterly installments. Each county comprising the circuit shall pay said salary in the following proportions per annum: The county of Butler, \$240.00; the county of Crenshaw, \$240.00 the county of Escambia, \$240.00; the county of Londnes, \$240.00; the county of Conecuh, \$240.00, but the amount of such annual assessment shall be paid quarterly as above provided.

And the amendment was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Pratt
Alford	Henley	Pugh
Altman	Hoffman	Rainer
Arnold	Jenkins	Rattray
Arrington	John	Rice
Avery	Jones	Rowe
Baltzell	Killen	Rushton
Barton	King	Sample
Benson	Kirby	Sanders
Bloch	Lawson	Sanford
Brown	Malone	Seale
Bulger	Maner	Sherrod
Burney	Mastin	Steagall
Cannon	Mitchell	Thompson
Cooper	Moore	Tunstall
Crum	Oliver	Turner
Elrod	Parker	Vann
Glover	Pearson	Wolf
Gunter	Peete	

—56.

And the bill:

H. 1390. To provide for the appointment of an official stenographer for the Second judicial circuit of

Alabama, and to prescribe his duties, and to fix his compensation.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Parker
Alford	Gunter	Pearson
Altman	Haley	Peete
Arnold	Henley	Power
Arrington	Hoffman	Pugh
Avery	Hughston	Ragsdale
Baltzell	Jenkins	Ralner
Barton	John	Rattray
Benners	Johnson	Rice
Benson	Jones	Rowe
Bloch	Killen	Rushton
Brown	King	Sanders
Bulger	Kirby	Sanford
Burney	Malone	Seale
Cannon	Maner	Sherrod
Cooper	Mastin	Tunstall
Crum	McDuffie	Vann
Fuller	McMillan	Weaver
Glover	Norville	

—56.

On motion of Mr. Rushton, the bill, H. 1390, was ordered sent to the Senate without engrossment.

H. 1369. For the relief of A. J. Brooks, of Jefferson county, Alabama.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Brown	Dudley
Alford	Cooper	Edwards
Ballard (Autauga)	Cranford	Elrod
Benners	Crum	Foster

Fuller	Mastin	Rice
Glover	Mitchell	Sample
Gunter	Moore	Sanders
Haley	McCrory	Sanford
Jenkins	Oliver	Seale
John	Parker	Sherrod
Johnson	Pearson	Steagall
Jones	Peete	Thompson
Killen	Power	Tunstall
King	Pratt	Turner
Kirby	Pugh	Vann
Lawson	Ragsdale	Weaver
Malone	Rainer	Williams
Maner	Ratray	Wolff

—54.

On motion of Mr. Haley, the bill, H. 1369, was ordered sent to the Senate without engrossment.

H. 1349. Authorizing recovery and refund of money erroneously paid for taxes, whether under compulsion or protest or not; providing as to evidence of such payment; that the adverse termination heretofore of petition or suit for such refund or recovery shall not be res adjudicata in certain cases and that this act shall apply to petitions and suits for such refund or recovery heretofore filed.

Was taken up. The question was upon the adoption of the substitute reported by the standing committee on ~~Ways and Means, said substitute being as follows:~~

A BILL

To be entitled an act authorizing the recovery and requiring the refund of any money erroneously paid, or collected for taxes, whether paid under compulsion or protest or not.

Section 1. Be it enacted by the Legislature of Alabama, that in case of the payment of money under mistake of law or fact upon any illegal tax assessment made under color of any law special or general of the State of Alabama, or by any of its political sub-divis-

ions, authorizing the assessment or collection of taxes for any purpose whatever, whether for any municipality, for the payment of the creditors of any municipality, for schools, or otherwise, except the laws relating to taxes to be paid to the State or to the general funds of the counties, respectively, the same shall be recoverable by appropriate proceedings at law or in equity against the proper parties or their successors, with the usual rights of and upon appeal, and that such payment was not made under compulsion or protest shall be immaterial.

Section 2. Be it further enacted, That in case of any petition or application for the refund of any money paid as aforesaid, filed with any mayor and alderman, or any other municipal or other board, court of chancery, or other authority having the control of the administration or the supervision of the receipts and disbursements of any taxes collected under, or under color of, any law mentioned in section one hereof, it shall have authority and be its duty, upon proper proof, to pay or order paid all such money so erroneously paid, and the tax collector, custodian, disbursing officer or agency under it, is authorized and required to obey such order, and also to pay such costs as may in any such petition or application, or suit as in section 1, be awarded, adjudged or decreed, in favor of such person making such erroneous payment.

Section 3. Be it further enacted, That in case of either suit, petition or application for recovery of money so erroneously paid, it shall be immaterial that the tax year for or in which such money was paid has ended or that it has been accounted for and the officers handling same released, or that it has been paid out, or that the authorities under which same was collected have been superseded by other authorities succeeding or substituted for them or subrogated to their rights, or that anything whatever has happened subsequent to its erroneous collection as aforesaid except its payment.

Section 4. Be it further enacted, That the provisions of this act shall apply to all persons and corporations who are now or may hereafter be justly and equitably

entitled to have money erroneously paid for taxes refunded, said payments having been made within six years preceding the commencement of any action, suit or proceeding for its recovery.

Section 5. Be it further enacted, That all laws, special or general in conflict herewith be and the same are hereby repealed.

Mr. Heflin offered the following amendment to the substitute:

Amend by adding to section two of substitute at the end "Provided, this act shall not apply to assessments where owners of property receive special benefits or where taxes were due but irregularly assessed thereon," and by striking out section three.

And the amendment to the substitute was adopted.

And the substitute reported by the committee as amended by the amendment offered by Mr. Hoffman was adopted.

Yeas, 56; nays, 4.

Yeas:

Messrs:—

Speaker	Henley	Power
Alford	Hoffman	Pratt
Arnold	Jenkins	Pugh
Arrington	John	Ragsdale
Avery	Johnson	Rainer
Bloch	Kirby	Katray
Brown	Kornegay	Rice
Bulger	Lancaster	Rowe
Burney	Lawson	Sample
Coleman (Marshall)	Malone	Sanders
Cooper	Mastin	Smith (Franklin)
Cranford	Moore	Smith (Lee)
Crum	McCrory	Turner
Doyle (Marengo)	McDuffie	Urquhart
Edwards	McMillan	Vann
Elrod	Parker	White (Lamar)
Goodwyn	Peete	White (Perry)
Gunter	Pitts (Perry)	Wolff
Haley	Powell (Bullock)	

Nays:

Messrs:—

Baillard (Autauga)

Cannon

Fuller

Williams

—4

And the bill.

H. 1349. Authorizing recovery and refund of money erroneously paid for taxes, whether under compulsion or protest or not; providing as to evidence of such payment; that the adverse termination heretofore of petition or suit for such refund or recovery shall not be res adjudicata in certain cases and that this act shall apply to petitions and suits for such refund or recovery heretofore filed.

As amended by the substitute, as amended was read a third time, at length, and passed.

Yeas, 42; nays, 16.

Yeas:

Messrs:—

Speaker

John

Powell (Covington)

Altman

Kornegay

Power

Armstrong

Lawson

Pugh

Arnold

Lee (Etowah)

Kagsdale

Avery

Long (Morgan)

Rowe

Barton

Malone

Sample

Benson

Maner

Seale

Bloch

Moore

Smith (Franklin)

Crum

McCrory

Steagall

Edwards

McDuffie

Tunstall

Goodwyn

McMillan

Urquhart

Gunter

Pearson

Vann

Haley

Peete

White (Perry)

Hoffman

Powell (Bullock)

Woolf

Hughston

—42.

Nays:

Messrs:—

Baillard (Autauga)

Cooper

Jenkins

Cannon

Fuller

Long (Butler)

Coleman (Marshall)

Henley

Mitchell

Parker	Rushton	White (Lamar)
Rainer	Smith (Lee)	Williams
Rice		

—16.

S. 547. To appropriate the sum of \$537.72 to pay the expenses of the fertilizer and cotton seed oil mill investigating committee and for the disbursement of the same.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Peete
Alford	Fuller	Power
Altman	Glover	Pratt
Arnold	Gunte	Pugh
Arrington	Haley	Rainer
Avery	Hoffman	Rattray
Baltzell	Jenkins	Rice
Barton	John	Rowe
Benners	Jones	Sample
Bloch	Killen	Sanders
Brown	King	Seale
Bulger	Kirby	Sherrod
Burney	Lawson	Steagall
Cannon	Long (Butler)	Tunstall
Cooper	Lyons	Turner
Cranford	Malone	Vann
Crum	Maner	Weaver
Dudley	Mastin	Woolf
Elrod	Moore	

—56.

H. 1382. To amend an act entitled "An act to provide for an election by the qualified electors of Tuscaloosa county, to determine whether the sale, barter, exchange, giving away or otherwise disposing of, vinous, spirituous or malt liquors, intoxicating beverages, biters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale,

barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters and proprietary medicines and to prohibit the shipping into said county by any common carriers and the bringing into said county by any person for the use of any other person than himself, and such spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Power
Alford	Glover	Pratt
Altman	Gunter	Rainer
Arnold	Haley	Rattray
Avery	John	Rice
Baltzell	Jones	Rowe
Barton	Killen	Sample
Benners	King	Sanders
Benson	Kirby	Seale
Bloch	Lawson	Sherrod
Brown	Lyons	Steagall
Bulger	Malone	Thompson
Burney	Maner	Tunstall
Cannon	Mastin	Turner
Cooper	Moore	Urquhart
Crum	Oliver	Vann
Dudley	Parker	Weaver
Elrod	Pearson	Woolf
Foster	Peete	

On motion of Mr. Rice, the bill, H. 1382, was ordered sent to the Senate without engrossment.

S. 305. To enlarge the powers of the board of trustees, hereafter to be known as the board of education of the school district of New Decatur.

Was taken up. Mr. Sample offered the following amendment to the bill:

Amend by striking out the words "hereafter" in line two, section 1, and insert in lieu thereof the words "After the expiration of the present term of office of the county superintendent of education of Morgan county."

And the amendment was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Mitchell
Alford	Fuller	Moore
Altman	Glover	Farker
Arnold	Gunter	Peete
Avery	Haley	Power
Baltzell	Henley	Pratt
Barton	Hoffman	Price
Benners	Jenkins	Rainer
Bloch	John	Rattray
Brown	Jones	Rice
Bulger	Killen	Rowe
Burney	King	Sample
Cannon	Kirby	Seale
Cooper	Lawson	Sherrod
Cranford	Lindsey	Turner
Crum	Lyons	Vann
Dudley	Malone	Weaver
Edwards	Maner	Woolf
Elrod	Mastin	

—56.

And the bill,

S. 305. To enlarge the powers of the board of trustees, hereafter to be known as the board of education of the school district of New Decatur:

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Parker
Alford	Gunter	Pearson
Altman	Haley	Peete
Arnold	Henley	Power
Avery	Hoffman	Pratt
Baltzell	Hughston	Pugh
Barton	Jenkins	Rainer
Benners	John	Rattray
Benson	Jones	Rice
Bloch	King	Rowe
Brown	Kirby	Sample
Bulger	Lawson	Sanford
Burney	Malone	Seale
Cooper	Maner	Thompson
Cranford	Mastin	Tunstall
Crum	Moore	Turner
Foster	McCrory	Vann
Fuller	Norville	Weaver
Glover	Oliver	

—56.

H. 1376. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors, or other intoxicating drinks, in Henry county, and to provide punishment of violator of said act.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Bulger	Henley
Alford	Burney	Hughston
Altman	Cooper	Jenkins
Arnold	Crum	John
Avery	Elrod	Jones
Baltzell	Foster	Killen
Barton	Fuller	King
Benson	Glover	Kirby
Bloch	Gunter	Lawson
Brown	Haley	Lee (Houston)

Malone	Peete	Seale
Maner	Pratt	Sherrod
Mastin	Pugh	Steagall
Mitchell	Rainer	Thompson
Moore	Rice	Turner
McCrory	Rowe	Vann
Oliver	Sample	Weaver
Parker	Sanders	Woolf
Pearson	Sanford	

—56.

On motion of Mr. Vann, the bill, H. 1376, was ordered sent to the Senate without engrossment.

S. 395. To amend an act entitled "An act to establish a charter for the town of Wedowee, Randolph county, Alabama," approved February 8, 1901.

Was read a third time, at length and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Edwards	Moore
Alford	Elrod	Oliver
Altman	Foster	Parker
Arnold	Glover	Peete
Arrington	Gunter	Pratt
Avery	Haley	Pugh
Baltzell	Henley	Rainer
Barton	Hoffman	Rice
Benners	Jenkins	Rowe
Benson	John	Sanders
Bloch	Jones	Seale
Brown	King	Sherrod
Bulger	Kirby	Steagall
Burney	Lawson	Tunstall
Cannon	Lyons	Turner
Cooper	Malone	Vann
Cranford	Maner	Weaver
Crum	Mastin	Woolf
Dudley	Mitchell	

—56.

S. 495. To create a board of education for the Huntsville school district of Madison county, Alabama, to provide for the election of their successors, to define the powers and duties of said board and provide for the management, support and maintenance of the public schools of said district.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Pearson
Alford	Gunter	Peete
Altman	Haley	Pratt
Arnold	Henley	Pugh
Arrington	Hughston	Rice
Avery	Jenkins	Rowe
Baltzell	John	Sample
Barton	Jones	Sanders
Benson	Killen	Sanford
Bloch	King	Seale
Brown	Kirby	Sherrod
Bulger	Malone	Steagall
Burney	Maner	Thompson
Cooper	Mastin	Tunstall
Cranford	Moore	Turner
Crum	McCrory	Vann
Elrod	Norville	Weaver
Foster	Oliver	Woolf
Fuller	Parker	

—56.

S. 548. For the relief of Mrs. M. J. Smyley of Marengo county, the widow of a confederate soldier.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Avery	Benson
Alford	Baltzell	Bloch
Altman	Barton	Brown
Arnold	Benners	Bulger

Burney	King	Rice
Cooper	Kirby	Rowe
Cranford	Lawson	Sample
Crum	Maner	Sanford
Elrod	Mastin	Seale
Foster	Moore	Sherrod
Fuller	McCrory	Steagall
Glover	Oliver	Thompson
Haley	Parker	Tunstall
Henley	Pearson	Turner
Hoffman	Peete	Urquhart
Hughston	Power	Vann
Jenkins	Pratt	Williams
John	Pugh	Woolf
Jones	Rainer	

—56.

S. 592. To amend section 1 of an act entitled an act to alter, re-arrange and extend the corporate limits of the city of Mobile, Alabama, approved March 2, 1907.

Was read a third time, at length, and passed.

Yeas, 52; nays, 5.

Yeas:

Messrs:—

Speaker	Glover	Pearson
Alford	Goodwyn	Peete
Arrington	Henley	Pitts (Perry)
Avery	Jenkins	Powell (Bullock)
Beltz	John	Power
Barton	Johnson	Rainer
Benners	Killen	Rattray
Bloch	King	Rice
Brown	Lawson	Rowe
Cannon	Lee (Etowah)	Rushton
Carmichael (Clay)	Long (Butler)	Smith (Franklin)
Coleman (Marshall)	Maner	Smith (Lee)
Cooper	Mitchell	Tunstall
Cranford	McDuffie	Turner
Crum	McMillan	Urquhart
Doyle (Marengo)	Norville	White (Lamar)
Edwards	Parker	Woolf
Fuller		

—52.

Nays:

Messrs:—

Gunter

Hoffman

Hughston

Sample

White (Perry)

—5.

H. 1363. To amend an act to alter and re-arrange the boundaries of the city of Montgomery, extending the corporate limits of said city, approved Feb. 23, 1903.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker

Elrod

McCrory

Alford

Foster

Oliver

Altman

Fuller

Peete

Arnold

Glover

Power

Arrington

Goodwyn

Pratt

Avery

Gunter

Price

Baltzell

Haley

Pugh

Barton

Henley

Rice

Benners

Hoffman

Rowe

Bloch

Jenkins

Sample

Brown

John

Sanders

Bulger

Jones

Seale

Burney

Killen

Steagall

Cannon

King

Tunstall

Cooper

Kirby

Turner

Cranford

Lawson

Vann

Crum

Maner

Weaver

Dudley

Mitchell

Woolf

Edwards

Moore

—56.

On motion of Mr. Gunter, the bill was ordered sent to the Senate without engrossment.

H. 779. To amend sections two and five of an act entitled an act to provide for the recovery to the State of lands not legally patented, and to settle disputed titles. Approved February 23, 1899.

Was read a third time, at length, and lost.

Yeas, 24; nays, 34.

Yeas:

Messrs:—

Speaker	Cooper	Lee (Etowah)
Arrington	Doyle (Marengo)	Mitchell
Avery	Edwards	McMillan
Ballard (Autauga)	Fuller	Pearson
Barton	Goodwyn	Peete
Benners	Gunter	Sanders
Bloch	Henley	Smith (Franklin)
Carmichael (Clay)	Hoffman	Tunstall

—24.

Nays:

Messrs:—

Alford	McCrory	Rowe
Cannon	McDuffie	Rushton
Coleman (Marshall)	Parker	Sample
Foster	Pitts (Perry)	Seale
Glover	Powell (Bullock)	Sherrod
Haley	Power	Smith (Elmore)
Hughston	Pratt	Smith (Lee)
John	Ragsdale	Urquhart
Killen	Rainer	White (Lamar)
Long (Butler)	Ratray	White (Perry)
Lovelady	Rice	Woolf
Maner		

—34.

PROTEST.

~~Mr. Hoffman filed the following protest, which was ordered spread upon the Journal.~~

Mr. Speaker:

I dissent from the action of the House in passing Senate bill No. 592, and my reason therefor is that the proof by affidavit exhibited to both Houses while purporting to affirmatively show that the substance of the proposed law was advertised in accordance with the constitution, yet as a matter of fact said advertisement was never made as required by section 106 of the constitution.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended as therein shown and as thus amended has passed House bills:

H. 953. To provide how the salaries of circuit judges whose salaries are partly paid by the counties in which said judges hold court shall be paid.

H. 1098. To provide for closing and discontinuing the dispensary operated under an act to establish a dispensary in the town of Clanton, county of Chilton, State of Alabama, and to provide for the conduct and regulation of the same, approved March 2, 1907.

H. 1049. To provide for the holding of two terms, each year, of the circuit court of the Ninth judicial circuit at Albertville, in Marshall county, and to regulate the same.

And returns same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Haley, the House concurred in the Senate amendment to the bill, H. 953, said Senate amendment being as follows:

Amend H. B. 953, by striking out the words: "Boards of revenue or county commissioners" where they occur and inserting in lieu thereof the words "The judge or judges of such courts."

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Benners	Crum
Alford	Benson	Elrod
Altman	Bloch	Foster
Arnold	Brown	Fuller
Arrington	Bulger	Glover
Avery	Burney	Gunter
Baltzell	Cannon	Haley
Barton	Cooper	Henley

Hoffman	Mastin	Sample
Jenkins	Mitchell	Sanders
John	Oliver	Seale
Johnson	Pearson	Sherrod
Jones	Peete	Steagall
Kallen	Power	Thompson
King	Pratt	Tunstall
Kirby	Pugh	Turner
Lawson	Rainer	Vann
Malone	Rice	Woolf
Maner	Rowe	

—56.

On motion of Mr. Goodwyn, the House concurred in the Senate amendment to the bill, H. 1098, said Senate amendment being as follows:

Amend section 1 by inserting immediately after the words "be and is hereby discontinued." the following words, "ninety days after the approval of this act."

And further amend said section 1 by striking out the following words at the end of said section "the passage and approval of this act," and inserting in lieu thereof the following words: "Ninety days after the approval of this act."

Amend section 2 by striking out the words "as soon as," where they occur immediately after the words "so ~~far as doing business is concerned~~" and inserting in lieu thereof the following words: "Ninety days after."

And further amend section 2, by striking out the word "thereafter," and inserting in lieu thereof the following words: "After said ninety days."

Amend section 3 by striking out the words "the passage and", where they occur immediately after the words "attempt to operate said dispensary after," and inserting in lieu thereof the following words "Ninety days after the."

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Mitchell
Alford	Fuller	McCrory
Altman	Glover	McMillan
Arnold	Goodwyn	Oliver
Arrington	Gunter	Parker
Avery	Haley	Pearson
Baltzell	Henley	Peete
Barton	Hoffman	Rainer
Benners	Hughston	Rattray
Benson	Jenkins	Rice
Bloch	John	Sample
Brown	Johnson	Sanders
Bulger	Jones	Sanford
Burney	Killen	Seale
Cannon	King	Sherrod
Cooper	Kirby	Turner
Cranford	Lawson	Vann
Crum	Malone	Weaver
Dudley	Maner	Woolf
Elrod	Mastin	

—58.

On motion of Mr. Coleman, of Marshall, bill H. 1049 and Senate amendment were indefinitely postponed.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following bills:

S. 552. To fix the times and places of holding the chancery court in the Northeastern chancery division of Alabama.

And sends same to the House without engrossment.

S. 447. To fix and provide for the compensation of performances of ex-officio services of the sheriff of Dallas county, Alabama, including the empaneling of grand juries and services in regard to elections and all

other public services for which no other compensation is provided.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Application will be made to the State Legislature, when it meets in July, 1907, for the passage of a bill to fix the compensation for ex-officio services of the sheriff of Dallas county at five hundred dollars, per annum, in payment for the empaneling of grand juries, advertising and performing his duties in regard to elections in his county, and for all other public services not otherwise provided for. To be paid quarterly out of the treasury of said county.

The State of Alabama, }
County of Dallas. }

Before me, H. F. Reese, a notary public in and for said county and State, personally appeared H. B. Kinney, who, being by me first duly sworn, deposes and says that he is publisher of the Selma Mirror, a newspaper published in Selma, Dallas county, Alabama, and that the notice hereto attached was published once a week for four successive weeks in said newspaper, on the following days, to wit: ~~June 1, 1907, June 8, 1907, June 14, 1907, June 21, 1907.~~ H. B. Kinney.

Sworn to and subscribed before me this the 9, day of July, 1907.

H. F. Reese,

Notary Public Dallas County, Ala.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message, were read one

time and referred to appropriate standing committees, as follows:

Judiciary, 552.

Revision of Laws, S. 447.

Mr. Haley moved that the standing committee on Temperance be required to report H. 1235.

And the motion prevailed.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 1051. To provide for the payment by the county of Escambia of all accounts for postage used by certain officers of said county.

H. 973. To amend section two (2) of an act entitled "An act to amend an act entitled an act to create the office of revenue constable for Mobile county, and to prescribe his duties, approved Feb. 24th, 1887."

H. 1105. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials or other intoxicating drinks or beverages within four miles of Chappel Hill Missionary Baptist church, Cool Springs Missionary Baptist church and the Rutledge Methodist Episcopal Church South; provided, the incorporation limits of the Rutledge Methodist Episcopal Church South shall not extend further east than the corporate limits of the town of Luverne, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

H. 1229. To authorize the board of directors of the State Normal School at Jacksonville, for and in behalf of said normal school and for and behalf of the State of Alabama to sell and convey to the mayor and city council of Jacksonville a certain house and lot on or near the south-east corner of the public square of the town of Jacksonville, Alabama, the same being the house and lot formerly used and occupied by Calhoun county as a county court house, and now used by said normal school for school purposes; the proceeds of said sale

to be used and applied by said board of directors of the State Normal School at Jacksonville, for the benefit of said normal school.

H. 1050. To prescribe the duties, fix the fees and commissions of the deputy solicitor of Escambia county, Alabama, and make disposition of the residue of the fees and commissions earned by such solicitor.

H. 1165. To amend an act entitled "An act to establish a separate school district to be known as the Elba school district in Coffee county, Alabama, and to provide for the management of the public schools in said district," approved February 28th, 1901, as amended by an act approved September 28th, 1903.

H. 1064. To vacate and annul the dedication of the following highways and parts of highways, situated in Smithfield, Jefferson county, Alabama, according to the plans and survey of Smithfield by Dr. Jos. R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Sally avenue. All of Joseph street lying between Valley Creek canal and Irene avenue. All of Mortimer street lying between Valley Creek canal and Agnes avenue. All of Agnes avenue lying between Valley Creek canal and Mortimer street.

H. 1162. To amend an act entitled an act to provide for holding separate terms of the circuit court for Coffee county in the Twelfth judicial circuit at Enterprise, for the following portions of Coffee county, to-wit: ~~Township 5, range 22; township 4, range 22; township~~ 5, range 22; township 3, range 21; township 4, range 21; the east one half of township 3, range 20; the following sections in township four, range 20, to-wit: 13, 22, 23, 24, 25, 26, 27, 34, 35, 36; and all that portion of the territory in township 6, range 22; township 7, range 22; township 5, range 21; township 6, range 21, lying south of Pea river, and to regulate the holding of such court; to provide buildings and accommodations therefor, making its jurisdiction within such district exclusive of the jurisdiction it exercises when sitting at Elba, in said county of Coffee; defining the powers of the judge and clerk thereof, and regulating the drawing of its grand and petit jurors, and providing for the trans-

fer of causes from the circuit court at Elba to said court held at Enterprise and from the latter to the former, approved February 28th, 1907.

H. 1063. To amend section 11 of an act "To regulate the trials of misdemeanors in Sumter county, approved December 8th, 1882."

H. 1002. To amend section 4 of an act entitled "An act to incorporate the town of Somerville in Morgan county, Alabama," approved February 3rd, 1872.

H. 1160. To provide for guards for the Montgomery county jail, and to fix the compensation for such guards.

H. 1256. For the improvement of the public roads of Lowndes county.

H. 1023. For the relief of J. S. Baker, a confederate pensioner of Tallapoosa county, Ala.

H. 1228. For the relief of T. W. Smith, clerk of the circuit court of Autauga county, Alabama.

H. 1001. To amend section 1 of an act entitled "An act to establish a new charter for the town of Hartselle in Morgan county," approved February 18th, 1899.

H. 1135. To repeal an "Act to provide for the establishing of a separate school district to be known as the Oxmoor district, at Oxmoor, in Jefferson county, Alabama, with certain powers and privileges of levying taxes to sustain said school," approved Feb. 9, 1877.

H. 999. To repeal an act entitled an act to authorize and empower the Decatur Land Co., a corporation, to list certain of its lands to the tax assessor of Morgan county in acreage, approved December 13th, 1900.

H. 898. To prohibit the sale of wine in the city of Thorsby, Alabama, in quantities less than one gallon; to prohibit the drinking of wine on the premises where sold; and to provide that any person violating the provisions of this act shall be guilty of a misdemeanor, and on conviction shall be fined not less than fifty dollars nor more than five hundred dollars and costs for each offense; and repealing all laws and parts of laws in conflict with this act.

H. 1183. For the relief of Mrs. Mary Jane Vernon, widow and sister of G. B. Alexander, a confederate pensioner.

H. 1308. To amend sections 1, 2, 6, 7, 9, 10, 11, 15, 24, 25 and 38 of an act entitled an act to amend an act entitled an act to better provide for establishing, working and maintaining the public roads and bridges in Walker county, Alabama, approved March 6th, 1903.

H. 1059. To prohibit the sale, barter, exchange, giving away, lending, delivery, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters, cordials or proprietary medicines or alcoholic drinks in Sumter county, Alabama, provided this act shall not prevent its use for religious or sacramental purposes; and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any person other than himself any such spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, or intoxicating proprietary medicines or alcoholic drinks from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, alcoholic drinks or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines or alcoholic drinks by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks to any point within this State, and to prohibit any person, firm or corporation in the State of Alabama, from shipping into Sumter county, from any point in said State, spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, intoxicating proprietary medicines or alcoholic drinks, and to provide penalties for all such prohibited acts; and to repeal all laws in conflict therewith.

H. 1055. For the relief of C. D. Horn; to authorize the court of county commissioners of Sumter county to issue a new warrant in favor of said C. D. Horn in lieu of warrant No. 12216 which was barred before being presented for payment.

H. 1043. To repeal sections two and three of an act "entitled an act to repeal an act to increase the number of grand and petit jurors in Winston county and to provide and designate the number of petit jurors drawn in said county," approved Dec. 10, 1886.

H. 1040. For the relief of T. P. Southerland, treasurer of Winston county.

H. 866. To extend and change the corporate limits of the town of Carrollton in Pickens county, Alabama.

H. 531. For the relief of Beverley Jackson, alias Beverley Green.

H. 985. For the relief of Walter-Cotter Co., on expired license as future dealers.

H. 1269. For the relief of Mrs. Catherine Morrison.

H. 798. To refund and pay back to the town of Camp Hill certain dispensary State license money collected and paid into the State treasury under and by virtue of the provisions of an act entitled an act to better provide for the revenue of the State, approved March 4th, 1903, for the privilege of operating a dispensary in the town of Camp Hill, under an act entitled an act to establish and maintain and regulate a dispensary in the town of Camp Hill, Tallapoosa county, Alabama, approved September 26th, 1903, which said act was declared unconstitutional and void, and said dispensary closed and not operated after the 31st of March, 1904.

H. 1316. To vacate, abolish and annul as alleys, streets or public highways, the following streets and alleys, as shown and contained in the map of the property of the North Birmingham Land Company, in Jefferson county, Alabama, to-wit: the alleys running east and west through the center of blocks numbered 214 and 234 and lying between the west line of 14th street and the east line of 15th street; also that portion of Sixth avenue lying along the north of said block 214 and south of what is known as the Jonesville road, as now located at

said point; also that portion of Seventh avenue lying between the west line of 14th street and the east line of 15th street; also that portion of 8th avenue lying west of the west line of 14th street and south of block 234; and to annul and extinguish the dedication thereof.

H. 933. To vacate and annul as public streets or highways that portion of First street in the town of North Birmingham, Alabama, beginning fifty feet south of Seventh alley, and running thence south to the Southern Railway right-of-way, and that portion of Second street in the town of North Birmingham, Alabama, running from the south line of Seventh alley, south to the north line of Eighth alley, both according to the map of the North Birmingham Land Company; and to annul and extinguish the dedication thereof.

H. 1221. To prohibit the running or operating of billiard or pool tables for the use of which money or other things of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

H. 890. To further prescribe the official duties of the deputy solicitor of Bibb county, Alabama.

H. 1155. To prevent and punish any person, firm or corporation residing in or doing business within any stock law district in Covington county enclosed by any fence or fences from turning any stock prevented from running at large within such stock law district in or on ~~any territory within said county where any such stock~~ are prohibited by law from running at large in non-stock law districts in said county; making the violation of such act a misdemeanor, and providing that the act take effect from and after its passage and approval by the governor.

H. 1315. To establish a dispensary in and for the town of Andalusia, in the county of Covington, in the State of Alabama, and to provide for the conduct and regulation of the same.

H. 879. To dissolve the quarantine board of Mobile bay and provide for the disposition of its assets.

H. 914. To vacate and annul those parts of avenues Nine and Ten, west, south of Ninth street, and those

parts of Tenth, Eleventh and Twelfth streets, west of Eighth avenue, west, in the city of Cullman, Alabama.

H. 1214. For the relief of Mrs. M. A. Jones, widow of an ex-confederate soldier.

H. 1103. To amend section 9 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee in Colbert county, to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in the said county, approved February 15th, 1907.

H. 904. To prohibit and punish the selling, bartering or exchanging of spirituous, vinous or malt liquors, or intoxicating drinks in the county of Colbert, after the first day of August, 1907, except in dispensaries located in the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in said county, and to allow the sale of grape wine under certain conditions.

H. 1197. To provide for an election in Perry county, Alabama, to determine whether spirituous, vinous and malt liquors shall be sold in said county after January 1st, 1909, to provide for holding said election and for other purposes.

H. 1244. To relieve and exempt the Alabama State Fair and Exhibit Association and all persons, firms or corporations who conduct business with said association on its fair grounds in Jefferson county, during the annual fairs of said associations from the payment of all State, county and municipal taxes and licenses.

H. 955. To amend an act entitled an act to regulate the city court of Birmingham in the practice and procedure in said court; to provide for judges thereof, their election, term of office, removal, power and salary; for the election, term of office, bond, removal and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery and other supplies for the holding of said court," approved February 26th, 1907.

H. 1126. To amend section 28 of an act entitled "An act to establish the city court of Bessemer," approved February 28th, 1901.

H. 1268. To allow the sheriff of Bullock county, Alabama, for fees for attendance upon the trial of any habeas corpus case before any judge or court, and to authorize the commissioners' court of said county, to pay the same out of the general fund of the county treasury.

H. 895. To repeal an act entitled an act to provide for the election of the county superintendent of education by a vote of the legal electors of Covington and Bullock counties, approved February 17th, 1885, so far as the same relates to Bullock county.

H. 861. To authorize and empower the board of mayor and aldermen of the city of Bridgeport, Jackson county, Alabama, to release manufacturing establishments within said city from the payment of city taxes.

H. 1138. To appropriate the sum of \$21.60 for the year 1904 and the further sum of \$30.00 for the year 1905 and the further sum of \$30.00 for the year 1906, total \$81.60, to Mary Morris, widow of John Morris, an ex-confederate soldier, as a confederate pensioner for said years, her name having been erroneously omitted from the lists of pensioners for said years.

H. 1061. To authorize the court of county commissioners of Sumter county to use any money in the county treasury not otherwise appropriated for the use of ~~employing detectives or secret service men to ferret out~~ and detect violations of the prohibition laws of said county.

J. A. Kyle,
Secretary.

ADJOURNMENT.

On motion of Mr. Fuller, the House adjourned until 8:30 Thursday morning.

FORTY-SEVENTH DAY.

House of Representatives,
Thursday, August 1st, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by the Rev. Mr. Price, of the House.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Elrod	Long (Butler)
Alford	Foster	Long (Morgan)
Altman	Fuller	Lovelady
Armstrong	Glover	Malone
Arnold	Goodwyn	Maner
Arrington	Gunter	Mastin
Avery	Haley	Middleton
Ballard (Autauga)	Henley	Mitchell
Ballard (Pike)	Hoffman	Moore
Baltzell	Hughston	McCrary
Barton	Jenkins	McDuffie
Benners	John	McMillan
Blöch	Johnson	Norville
Brown	Jones	Parker
Bulger	Killen	Pearson
Cannon	King	Peete
Carmichael (Clay)	Kirby	Pitts (Dallas)
Coleman (Lowndes)	Kornegay	Pitts (Perry)
Coleman (Marshall)	Lacy (Dallas)	Powell (Bullock)
Cooper	Lacy (Walker)	Powell (Bullock)
Cranford	Lancaster	Power
Crum	Lawson	Pratt
Doyle (Clark)	Lee (Barbour)	Price
Doyle (Marengo)	Lee (Etowah)	Pugh
Dudley	Lee (Houston)	Ragsdale
Edwards	Lindsey	Ralner

Rattray	Sherrod	Turner
Rice	Smith (Elmore)	Urquhart
Rowe	Smith (Etowah)	Vann
Rushton	Smith (Franklin)	Weaver
Sample	Smith (Lee)	White (Lamar)
Sanders	Steagall	White (Perry)
Sanford	Thompson	Williams
Seale	Tunstall	Wolff

—101.

A quorum was present.

JOURNAL.

R. C. Smith, acting chairman of the standing committee on the Revision of the Journal, made the following report:

Mr. Speaker:

Your committee on the Revision of the Journal beg leave to report as follows:

We have examined the journal for the Forty-sixth day and find the same to be correct. R. C. Smith,
Acting Chairman.

The report of the committee was concurred in and the journal of the 46th day was approved.

~~LEAVE OF ABSENCE~~

Was granted to Mr. Coleman, of Lowndes, for today, and to Mr. Benson indefinitely.

PRIVILEGES OF THE FLOOR

Was granted to Hon. H. E. Gibson, of Prattville, for today.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following resolutions with a favorable report: H. R. 309 and H. J. R. 320 and 321. The H. R.

309 was adopted and the H. J. R. 320 and 321 were placed on the calendar

And the following resolutions with an adverse report: H. R. 305, 323 and 324.

BILLS ON SECOND READING.

Mr. Haley, chairman of the standing committee on Local Legislation, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

S. 471. To amend section one of an act, approved December 7th, 1896, entitled an act to amend section 1 of an act entitled an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river and the tributaries of these streams in Mobile county, approved February 18th, 1895.

S. 476. To amend section 3 of an act entitled "An act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9, 1891.

S. 530. To repeal an act entitled an act to abolish the county court of Marion county, approved Feb. 1, 1895, and to provide for a county court hereafter in Marion county, Alabama, under the code as hertofore.

H. 480. To amend an act entitled "An act to protect at the expense of Jefferson county all deeds, mortgages or other records required by law to be kept in the office of the judge of probate of Jefferson county," approved March 5th, 1901.

Mr. Ragsdale, chairman of the standing committee on Public Health, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report:

S. 487. To authorize incorporated cities and towns in this State which have within their corporate limits ancient, private or family cemeteries or burial grounds to contract for their care and maintenance.

Mr. Rowe, acting chairman of the standing committee on Appropriations, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report:

H. 1379. To amend "An act to make appropriations for the ordinary expenses of the executive, legislative, and judicial departments of the State, for the interest on the public debt and for public schools."

Mr. Smith, of Elmore, chairman of the standing committee on Public Roads and Highways, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report:

H. 1395. To amend section 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the several counties of the State of Alabama, approved Oct. 10, 1903.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

H. 1391. To prescribe the rules of evidence upon applications of confederate soldiers or sailors, resident citizens of Alabama, and their widows for pensions under the pension laws of Alabama as to proving the facts of service in the confederate army, or in the State troops of Alabama ~~and that they did not desert~~, and to provide for a special session of the State and county boards of examiners during the year 1907, for the examination of applicants, and to repeal all laws and parts of laws in conflict with this act.

H. 1396. To extend the appropriation made for public printing and binding, including the reports of the heads of the departments, supreme court decisions, acts and journals of the Legislature, advertisements and proclamations, done in pursuance of law for the year ending September 30, 1907.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted upon the following bills and ordered same return-

ed to the House with a favorable report with amendment:

S. 510. (With amendment.) To authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county.

S. 513. (With amendment.) To amend an act to provide for the inspection of jails and almshouses and cotton mills or factories, approved March 4, 1907, by adding section 12 to provide for a clerk to the inspector and for office expenses of the inspector.

S. 577. (With amendment.) To fix the times and places of holding the circuit courts in the Fifth judicial circuit of Alabama.

Mr. Ragsdale, chairman of the standing committee on Public Health, reported that said committee in session had acted on the following bill and ordered same returned to the House and reported favorably:

S. 529. To amend sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17 and 18 of, and to add sections 9 1-2, 16 1-2, 17 1-2, 24 and 25, to an act entitled an act to amend, reconstruct, and provide for the enforcement of the laws relating to the public health, approved Oct. 9, 1903.

Mr. Ballard, of Autauga, chairman of the standing committee on Temperance, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report:

S. 618. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors, or other intoxicating drinks, in Henry county, and to provide punishment of violations of said act.

ADVERSE CALENDAR.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session had acted upon the following bills and ordered same returned to the House adversely:

S. 615. To amend section 2695 of the Code.

H. 1393. To create and declare a lien in favor of saw mill laborers, teamsters, choppers, sawyers, and all other persons who contribute their labor to the manufacture of timber, or cutting and running of saw logs.

Mr. Ballard, of Autauga, chairman of the standing committee on Temperance, reported that said committee in session had acted on the following bill and ordered same returned to the House with an adverse report:

S. 558. To establish a dispensary in and for the town of Berry, in the county of Fayette, State of Alabama, and to provide for the conduct and regulation of the same.

H. 1235. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating beverages within the State of Alabama.

Mr. Bloch, chairman of the standing committee on Mining and Manufacturing, reported that said committee in session had acted on the following resolution and ordered same returned to the House with an adverse report:

H. J. R. No. 330. Relative to the appointment of a committee by the governor to prepare amendments to the mining laws of the State.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills have examined the following House bills and beg leave to report the same correctly enrolled:

H. 1135. To repeal an act to provide for the establishing of a separate school district, to be known as the Oxmoor district, at Oxmoor, in Jefferson county, Alabama, with certain powers and privileges, of levying taxes to sustain said school, approved February 9th, 1877.

H. 1160. To provide for guards for the Montgomery county jail and to fix the compensation for such guards.

H. 861. To authorize and empower the board of mayor and aldermen of the city of Bridgeport, Jackson county, Alabama, to release manufacturing establishments within said city from the payment of city taxes.

H. 1023. For the relief of J. S. Baker, a confederate pensioner of Tallapoosa county, Ala.

H. 1138. To appropriate the sum of \$21.60 for the year 1904 and the further sum of \$30.00 for the year 1905 and the further sum of \$30.00 for the year 1906, total \$81.60, to Mary Morris, widow of Jno. Morris, an ex-confederate soldier, as a confederate pensioner for said years, her name having been erroneously omitted from the lists of pensioners for said years.

H. 1002. To amend section 4 of an act entitled "an act to incorporate the town of Somerville in Morgan county, Alabama," approved February 3rd, 1872.

H. 1063. To amend section 11 of an act "To regulate the trials of misdemeanors in Sumter county," approved Dec. 8th, 1882.

H. 1061. To authorize the court of county commissioners of Sumter county to use any money in the county treasury not otherwise appropriated for the purpose of employing detectives or secret service men to ferret out and detect violations of the prohibition laws of said county.

H. 1268. To allow the sheriff of Bullock county, Alabama, for fees for attendance upon the trial of any habeas corpus case before any judge or court, and to authorize the commissioners' court of said county to pay the same out of the general fund of the county treasury.

H. 1256. For the improvement of the public roads of Lowndes county.

H. 1165. To amend an act entitled "An act to establish a separate school district, to be known as the Elba school district, in Coffee county, Alabama, and to provide for the management of the public schools in said district," approved February 28, 1901, as amended by an act approved Sept. 28, 1903.

H. 1064. To vacate and annul the dedication of the following highways and parts of highways, situated in

Smithfield, Jefferson county, Alabama, according to the plans and survey of Smithfield by Dr. Joseph R. Smith, Sr., to-wit: All that part of Thomas street lying between Valley Creek canal and Salley avenue, all of Joseph street lying between Valley Creek canal and Irene avenue, all of Mortimer street lying between Valley Creek canal and Agnes avenue, all of Agnes avenue lying between Valley Creek canal and Mortimer street.

H. 1055. For the relief of C. D. Horn; to authorize the court of county commissioners of Sumter county to issue a new warrant in favor of said C. D. Horn in lieu of warrant No. 12216 which was barred before being presented for payment.

H. 1001. To amend section 1 of an act entitled "An act to establish a new charter for the town of Hartselle in Morgan county," approved Feb. 18th, 1899.

H. 973. To amend section two (2) of an act entitled an act to amend an act entitled an act to create the office of revenue constable for Mobile county, and to prescribe his duties, approved February 24th, 1887.

H. 999. To repeal an act entitled an act to authorize and empower the Decatur Land Co., a corporation, to list certain of its lands to the tax assessor of Morgan county in acreage, approved Dec. 13th, 1900.

H. 1228. For the relief of T. W. Smith, clerk of the circuit court of Autauga county, Ala.

H. 1221. To prohibit the running or operating of billiard or pool tables for the use of which money or other thing of value is charged, within the county of Madison, except within the corporate limits of the incorporated towns or cities thereof.

H. 879. To dissolve the quarantine board of Mobile bay and provide for the disposition of its assets.

H. 929. To alter or re-arrange the boundary lines of the city of Birmingham, Ala.

H. 1040. For the relief of T. P. Southerland, treasurer of Winston county.

H. 890. To further prescribe the official duties of the deputy solicitor of Bibb county, Alabama.

H. 985. For the relief of Walter-Cotter Co., on unexpired license as future dealers.

H. 953. To provide how the salaries of circuit judges whose salaries are partly paid by the counties in which said judges hold court, shall be paid.

H. 531. For the relief of Beverly Jackson, alias Beverly Green.

H. 914. To vacate and annul those parts of avenues Nine and Ten, west, south of Ninth street, and those parts of Tenth, Eleventh, and Twelfth streets, west of Eighth avenue, west, in the city of Cullman, Alabama.

H. 866. To extend and change the corporate limits of the town of Carrollton in Pickens county, Alabama.

H. 1051. To provide for the payment by the county of Escambia of all accounts for postage used by certain officers of said county.

H. 1269. For the relief of Mrs. Catherine Morrison.

H. 933. To vacate and annul as public streets or highways, that portion of First street, in the town of North Birmingham, Ala., beginning fifty feet south of Seventh alley, and running thence south to the Southern Railway right of way, and that portion of Second street in the town of North Birmingham, Alabama, running from the south line of Seventh alley, south to the north line of Eighth alley, both according to the map of the North Birmingham Land Co., and to annul and extinguish the dedication thereof.

H. 898. To prohibit the sale of wine in the city of Thorsby, Ala., in quantities less than one gallon; to prohibit the drinking of wine on the premises where sold, or in a room adjoining the premises where sold; and to provide that any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than fifty nor more than five hundred dollars and costs for each offense; and repealing all laws and parts of laws in conflict with this act.

H. 1098. To provide for closing and discontinuing the dispensary operated under an act to establish a dispensary in the town of Clanton, county of Chilton, State of Alabama, and to provide for the conduct and regulation of the same, approved March 2, 1907.

H. 1043. To repeal section 2 and 3 of an act entitled "an act to repeal an act to increase the number of grand

and petit jurors in Winston county; and to provide and designate the number of petit jurors drawn in said county," approved Dec. 10, 1886.

H. 1244. To relieve and exempt the Alabama State Fair and Exhibit Association and all persons, firms or corporations who conduct business with said association on its fair grounds in Jefferson county during the annual fairs of said association from the payments of all State, county and municipal taxes and licenses.

H. 1162. To provide for holding separate terms of the circuit court for Coffee county in the Twelfth judicial circuit at Enterprise for the following portions of Coffee county, to-wit: Township 3, range 22; township 4, range 22; township 5, range 22; township 3, range 21; township 4, range 21; the east one half of township 3, range 20; the following sections in township 4, range 20, to-wit: 13, 22, 23, 24, 25, 26, 27, 34, 35, 36, and all that portion of the territory in township 6, range 22; township 7 range 22; township 5, range 21; township 6, range 21, lying south of Pea river, and to regulate the holding of such court, to provide buildings and accommodations therefor, making its jurisdiction within such district exclusive of the jurisdiction it exercises when sitting at Elba in said county of Coffee; defining the powers of the judge and the clerk thereof, and regulating the drawing of its grand and petit jurors, and providing for the transfer of causes from the circuit court at Elba to said court held at Enterprise, and from the latter to the former, approved Feb. 28th, 1907.

H. 904. To prohibit and punish the selling, bartering, or exchanging of spirituous, vinous, or malt liquors, or intoxicating drinks in the county of Colbert after the first day of August, 1907, except in dispensaries located in the cities of Tuscumbia and Sheffield, and the towns of Leighton and Cherokee, in said county, and to allow the sale of grape wine under certain conditions.

H. 1229. To authorize the board of directors of the State Normal School at Jacksonville, for and in behalf of said normal school and for and behalf of the State of Alabama to sell and convey to the mayor and city

council of Jacksonville a certain house and lot on or near the south-east corner of the public square of the town of Jacksonville, Alabama, the same being the house and lot formerly used and occupied by Calhoun county as a county court house, and now used by said normal school for school purposes; the proceeds of said sale to be used and applied by said board of directors of the State Normal School at Jacksonville, for the benefit of said normal school.

H. 1308. To amend sections 1, 2, 6, 7, 9, 10, 11, 15, 24, 25 and 38 of an act entitled an act to amend an act entitled an act to better provide for establishing, working and maintaining the public roads and bridges in Walker county, Alabama, approved March 6th, 1903.

H. 1316. To vacate, abolish and annul as alleys, streets or public highways, the following streets and alleys, as shown and contained in the map of the property of the North Birmingham Land Company, in Jefferson county, Alabama, to-wit: the alleys running east and west through the center of blocks numbered 214 and 234 and lying between the west line of 14th street and the east line of 15th street; also that portion of Sixth avenue lying along the north of said block 214 and south of what is known as the Jonesville road, as now located at said point; also that portion of Seventh avenue lying between the west line of 14th street and the east line of 15th street; also that portion of 8th avenue lying west of the west line of 14th street and south of block 234; and to annul and extinguish the dedication thereof.

H. 1103. To amend section 9 of an act entitled an act to authorize the cities of Tuscumbia and Sheffield and the towns of Leighton and Cherokee in Colbert county to establish and operate dispensaries in such incorporated cities and towns, for the purpose of buying and selling spirituous, vinous and malt liquors and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in the said county, approved February 15th, 1907.

H. 1059. To prohibit the sale, barter, exchange, giving away, lending, delivery, or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters, cordials or proprietary medicines or alcoholic drinks in Sumter county, Alabama, provided this act shall not prevent its use for religious or sacramental purposes; and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any person other than himself any such spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, or intoxicating proprietary medicines or alcoholic drinks from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, alcoholic drinks or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, or intoxicating proprietary medicines, or alcoholic drinks by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telegraph or telephone company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, intoxicating cordials, intoxicating proprietary medicines, or alcoholic drinks to any point within this State, and to prohibit any person, firm or corporation in the State of Alabama, from shipping into Sumter county, from any point in said State, spirituous, vinous or malt liquors, intoxicating bitters, intoxicating beverages, intoxicating cordials, intoxicating proprietary medicines or alcoholic drinks, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict therewith.

H. 1155. To prevent and punish any person, firm or corporation residing in or doing business within any stock law district in Covington county enclosed by any fence or fences from turning any stock prevented from running at large within such stock law district in or on

any territory within said county where any such stock are prohibited by law from running at large in non-stock law districts in said county; making the violation of such act a misdemeanor, and providing that the act take effect from and after its passage and approval by the governor.

H. 1197. To provide for an election in Perry county, Alabama, to determine whether spirituous, vinous, and malt liquors shall be sold in said county after January 1st, 1909, to provide for holding said election and for other purposes.

H. 955. To amend an act entitled "An act to regulate the city court of Birmingham in the practice and procedure in said court; to provide the judges thereof, their election, term of office, removal, power, and salary; for the election, term of office, bond, removal, and duties of the clerk and register thereof; and to provide suitable court rooms and places, dockets, stationery, and other supplies for the holding of said court," approved Feb. 26th, 1907.

H. 1315. To establish a dispensary in and for the town of Andalusia in the county of Covington, in the State of Alabama, and to provide for the conduct and regulation of the same.

H. 1183. For the relief of Mrs. Mary Jane Vernon, widow and sister of G. B. Alexander, a confederate pensioner.

H. 1126. To amend Sec. 28 of an act entitled "an act to establish the city court of Bessemer," approved February 28th, 1901.

H. 1050. To prescribe the duties, fix the fees and commissions of the county solicitor of Escambia county, Alabama, and make disposition of the residue of the fees and commissions earned by such solicitor.

H. 1214. For the relief of Mrs. M. A. Jones, widow of an ex-confederate soldier.

H. 1105. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials or other intoxicating drinks or beverages within four miles of Chappel Hill Missionary Baptist church, Cool Springs Missionary Baptist

church and the Rutledge Methodist Episcopal Church South; provided, the incorporation limits of the Rutledge Methodist Episcopal Church South shall not extend further east than the corporate limits of the town of Luverne, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

H. 798. To refund and pay back to the town of Camphill certain dispensary State license money collected and paid into the State treasury under and by virtue of the provisions of an act entitled an act to better provide for the revenue of this State, approved March 4th, 1903, for the privilege of operating a dispensary in the town of Camphill under an act entitled an act to establish and maintain and regulate a dispensary in the town of Camphill, Tallapoosa county, Alabama, approved September 26, 1903, which said act was declared unconstitutional and void, and said dispensary closed and not operated after the 31st day of March, 1904.

J. S. Williams,
Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after their titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the ~~standing committee on Enrolled Bills.~~

Mr. Williams called up his motion to take from the adverse calendar S. 435, and moved that the House resolve itself into a committee of the whole.

And the motion prevailed.

The Speaker named as chairman of the committee of the whole Mr. Haley.

On motion of Mr. Carmichael, of Colbert, the committee rose and ordered the bill, S. 435, reported favorably.

Mr. Haley, chairman of the committee of the whole House, reported favorably:

S. 435. To confer on the governing bodies of towns and cities, which own and operate dispensaries in coun-

ties where no part of the net profits of such dispensaries are divided with the counties in which they are so owned and operated, the right, power and authority to give to such counties a part of the net profits of such dispensaries, not exceeding forty per cent. thereof, to be used and expended by the governing bodies of such counties in the improvement of the public roads of such county or counties.

And the bill, S. 435, was read a second time and placed on the calendar.

Mr. Haley moved to take H. 1235 from the adverse calendar and refer it to a committee of the whole House. And the motion prevailed.

The Speaker named as chairman of the committee of the whole House Mr. Haley.

On motion of Mr. Carmichael, of Colbert, the committee rose and ordered the bill reported favorably.

Mr. Haley, chairman of the committee of the whole House, reported the bill:

H. 1235. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors or intoxicating beverages within the State of Alabama.

Favorably; and the bill, H. 1235, was read a second time and placed upon the calendar. ●

RESOLUTIONS.

The following resolutions were introduced:

By Mr. Haley:

H. R. 328. Resolved, that on this the 47th legislative day, the House consider no Senate bill.

Rules.

By Mr. Bulger:

H. R. 329. Resolved, on and after today no member will be allowed to speak more than one time nor longer than five minutes on any subject.

Rules.

By Mr. Fuller:

H. J. R. 330. Be it enacted by the House, the Senate concurring, That a commission is hereby created to consist of the present chief mine inspector of the State, two

practical coal miners nad two practical coal operators, to be appointed by the governor, to frame and report to the next session of the Legislature, called or special, a mining law or suitable amendments to the present mining law of the State of Alabama. Said commission shall serve without compensation and shall make their report to the governor within twelve months from this date and he shall present their conclusions and the bill prepared by them with his recommendation that the bill be passed. No two of said operators or of said miners shall be chosen from the same county.

Mining and Manufacturing.

By Mr. Peete:

H. R. 331. Resolved, that H. B. 320, To educate the children of Alabama on the evils of intemperance, be made a special order for Friday, August 2nd, 1907.

Rules.

By Mr. Hoffman:

H. R. 332. Whereas, in engrossing H. B. 229 one section of said bill was omitted, be it resolved that the Senate be requested to return the same for correction.

On motion of Mr. Hoffman, the rules were suspended and the resolution was adopted.

By Mr. John:

H. R. 333. Resolved, that hereafter all House bills passed by the House shall be sent to the Senate without engrossment unless a different order is made by the House as to some particular bill.

On motion of Mr. John, the rules were suspended and the resolution was adopted.

BILL ON THIRD READING.

H. 1127. To amend section 17 of an act entitled an act to provide a system of quarantine for this State, approved February 23, 1899.

Was taken up. The question was upon the adoption of the amendment reported by the committee on Public Health, said amendment being as follows:

Amend section 1 by striking out words "twenty-five thousand" and by inserting in lieu thereof the words twenty thousand.

And the amendment was adopted.

Yeas, 65; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Parker
Alford	Haley	Pearson
Altman	Hoffman	Peete
Armstrong	Hughston	Powell (Bullock)
Arnold	Jenkins	Power
Avery	John	Pratt
Ballard (Autauga)	Johnson	Pugh
Ballard (Pike)	Killen	Rice
Baltzell	King	Rowe
Benners	Kirby	Rushton
Bloch	Kornegay	Sample
Bulger	Lacy (Dallas)	Sanders
Cannon	Lancaster	Sherrod
Carmichael (Clay)	Lawson	Smith (Elmore)
Coleman (Marshall)	Lee (Barbour)	Smith (Franklin)
Cooper	Malone	Smith (Lee)
Crum	Mastin	Turner
Doyle (Clark)	Mitchell	Urquhart
Doyle (Marengo)	Moore	Vann
Edwards	McCrary	Weaver
Foster	McDuffie	White (Lamar)
Fuller	McMillan	

—65.

And the bill:

H. 1127. To amend section 17 of an act entitled an act to provide a system of quarantine for this State, approved February 23, 1899.

As amended, was read a third time, at length, and passed.

Yeas, 58; nays, 4.

Yeas:

Messrs:—

Speaker	Altman	Arnold
Alford	Armstrong	Arrington

Avery	Haley	Powell (Bullock)
Ballard (Autauga)	Henley	Power
Benners	Hoffman	Pratt
Bloch	Hughston	Pugh
Brown	Johnson	Ragsdale
Bulger	Kirby	Rainer
Carmichael (Clay)	Kornegay	Rushton
Coleman (Marshall)	Lancaster	Sanders
Cooper	Lawson	Seale
Cranford	Lee (Barbour)	Sherrod
Crum	Lee (Houston)	Smith (Franklin)
Doyle (Marengo)	Lindsey	Smith (Lee)
Edwards	Long (Butler)	Steagall
Elrod	Mastin	Turner
Foster	Moore	Vann
Fuller	McCrory	White (Perry)
Goodwyn	Pearson	Woolf
Gunter		

—58.

Nays:

Messrs:—

Killen

Rice

White (Lamar)

Mitchell

—4.

UNFINISHED BUSINESS.

The House proceeded to the consideration of the unfinished business, which was the bill:

~~H. 1202 To regulate primary elections in the State of Alabama.~~

The question was upon the adoption of the amendment offered by Mr. Rushton to the bill.

Mr. Hoffman moved to table the bill and pending amendment, and the motion to table was lost.

Mr. Arnold offered the following substitute for the bill and pending amendment:

A BILL

To be entitled an act to regulate primary elections in this State and provide for the payment of the holding of the same.

Be it enacted by the Legislature of Alabama :

Section 1. That the managers, clerks and returning officers of primary elections held in this State, shall be paid for their services as such in the same manner and amount as managers, clerks, and returning officers of regulate State and county elections are now paid, out of the county treasuries of the several counties, as now provided by law; provided, that this act shall not apply to primary elections for the nomination of municipal officers only.

Section 2. That the county treasurer of each county in this State shall pay out of any funds belonging to the county in his hands, not otherwise appropriated, the compensation allowed the primary election officers serving in the several counties, named in section 1 of this act, upon the certificate of the chairman of the county executive committee, or chairman of the governing body of the political party holding the primary election in the county.

Section 3. That where not more than one-fourth (1-4) of the registered voters of any county in this State vote at any primary election, the primary election officers holding the election in such county shall not receive any pay as such, under this act.

On motion of Mr. Lee, of Etowah, the bill, H. 1302, and pending amendments were laid upon the table.

Yeas, 49; nays, 41.

Yeas:

Messrs:—

Alford	Haley	Middleton
Armstrong	Hoffman	Moore
Arrington	Hughston	McCrory
Barton	Killen	McDuffie
Benners	Kirby	Parker
Coleman (Marshall)	Lacy (Dallas)	Pitts (Dallas)
Cranford	Lacy (Walker)	Pitts (Perry)
Crum	Lee (Etowah)	Powell (Bullock)
Doyle (Clark)	Lee (Houston)	Pugh
Edwards	Lindsey	Rainer
Elrod	Lovelady	Rice
Foster	Malone	Sample

Sanford	Thompson	White (Lamar)
Seale	Tunstall	White (Perry)
Sherrod	Turner	Williams
Smith (Etowah)	Urquhart	Woolf
Smith (Franklin)		

—49.

Nays:

Messrs:—

Speaker	Gunter	Norville
Altman	John	Pearson
Arnold	Johnson	Power
Avery	Jones	Price
Ballard (Autauga)	King	Ragsdale
Ballard (Pike)	Kornegay	Rattray
Bloch	Lancaster	Rowe
Brown	Lawson	Rushton
Bulger	Lee (Barbour)	Sanders
Carmichael (Clay)	Long (Butler)	Smith (Elmore)
Cooper	Long (Morgan)	Smith (Lee)
Doyle (Marengo)	Mastin	Steagall
Fuller	Mitchell	Weaver
Goodwyn	McMillan	

—41.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House amendment to:

S. 305. To enlarge the powers of the board of trustees hereafter to be known as the board of education of the school district of New Decatur.

J. A. Kyle,
Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in:

H. J. R. 332. Relative to the return to the House of House bill No. 229 for correction.

And said bill is herewith returned to the House.

And the Senate has concurred in the House amendments to:

S. 326. To repeal an act entitled an act to amend section 4630 of the criminal Code, so far as the same relates to beats 10 and 11, in Bibb county, Ala., same approved Feb. 21, 1899.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

And the bill, H. 229, was returned to the engrossing clerk for correction.

BILLS ON THIRD READING.

H. 942. To propose amendments to section 194 of the constitution.

Was read a third time, at length, and passed.

Yeas, 64; nays, 14.

Messrs:—

Yeas:

Speaker	Haley	Moore
Alford	Henley	McCrory
Altman	Jenkins	McDuffie
Arnold	John	Norville
Avery	Johnson	Pearson
Ballard (Autauga)	Jones	Pitts (Dallas)
Ballard (Pike)	Killen	Pitts (Perry)
Benners	King	Pratt
Bloch	Kirby	Price
Brown	Kornegay	Pugh
Carmichael (Clay)	Lacy (Dallas)	Ragsdale
Coleman (Marshall)	Lancaster	Rattray
Cooper	Lawson	Rice
Crum	Lee (Barbour)	Rowe
Doyle (Marengo)	Lee (Houston)	Sanders
Dudley	Long (Butler)	Sherrod
Foster	Malone	Smith (Elmore)
Fuller	Mastin	Smith (Franklin)
Glover	Middleton	Smith (Lee)
Goodwyn	Mitchell	Steagall

Thompson
Tunstall
Turner

Urquhart
White (Lamar)

White (Perry)
Williams

—66.

Nays:

Messrs:—

Arrington
Cannon
Elrod
Gunter
Hoffman

Lacy (Walker)
McMillan
Parker
Powell (Bullock)
Power

Rainer
Seale
Weaver
Wolff

—14.

H. 1342. To amend sections 14 and 16 of an act entitled "An act to prescribe rules and regulations relating to demurrage and car service and the charges therefor and the respective rights, duties, obligations, liabilities and remedies of common carriers by rail and shippers and consignees with respect to the furnishing of empty cars and the transportation and delivery of freight and delay of shippers and consignees in the loading and unloading of cars and the receiving of freight, and charges for such delay," approved February 28, 1907.

Was read a third time, at length, and passed.

Yeas, 70; nays, 1.

Yeas:

Messrs:

Speaker	Coleman (Marshall)	Johnson
Altman	Cooper	Jones
Arnold	Crum	King
Arrington	Doyle (Marengo)	Kirby
Avery	Edwards	Kornegay
Baillard (Autauga)	Foster	Lacy (Dallas)
Ballard (Pike)	Fuller	Lawson
Baltzell	Glover	Lee (Etowah)
Barton	Gunter	Lee (Houston)
Benners	Haley	Long (Butler)
Benson	Henley	Lovelady
Brown	Hughston	Maner
Cannon	Jenkins	Mastin
Carmichael (Clay)	John	Mitchell

Moore.	Price	Smith (Elmore)
McCrary	Rainer	Smith (Franklin)
McDuffie	Rattray	Smith (Lee)
McMillan	Rice	Steagall
Parker	Rowe	Thompson
Pearson	Sanders	Turner
Peete	Sanford	Urquhart
Pitts (Dallas)	Seale	White (Lamar)
Pitts (Perry)	Sherrod	White (Perry)
Pratt		

—70.

Nays:

Mr. Smith (Etowah)

—1.

H. 1343. To authorize the railroad commission of Alabama to modify or change any rule or regulation prescribed by statute relating to demurrage of car service and charges therefor and the respective rights, duties and obligations of common carriers by rail and shippers and consignees with respect to furnishing empty cars and the transportation and delivery of freight and delay in the loading and unloading of cars and receiving of freight and charges therefor.

Was read a third time, at length, and passed.

Yeas, 65; nays, 5.

Yeas:

Messrs:—

Speaker	Coleman (Marshall)	Jenkins
Altman	Cooper	Johnson
Arnold	Cranford	Jones
Arrington	Doyle (Clark)	King
Avery	Doyle (Marengo)	Kirby
Ballard (Autauga)	Dudley	Kornegay
Ballard (Pike)	Edwards	Lacy (Dallas)
Baltzell	Fuller	Lawson
Barton	Glover	Lee (Houston)
Brown	Haley	Lindsey
Bulger	Henley	Long (Butler)
Cannon	Hoffman	Long (Morgan)
Carmichael (Clay)	Hughston	Malone

Mitchell	Price	Smith (Elmore).
McMillan	Pugh	Smith (Franklin)
Norville	Rainer	Smith (Lee)
Pearson	Rattray	Steagall
Peete	Rowe	Tunstall
Pitts (Perry)	Rushton	Urquhart
Powell (Bullock)	Sample	White (Lamar)
Power	Sanders	White (Perry)
Pratt	Seale	

—65.

Nays:
Messrs:—

Foster	Pitts (Dallas)	Williams
Gunter	Weaver	

—5.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills beg leave to report that it has examined and found correctly engrossed the following bill:

H. 1349. Authorizing the recovery and requiring the refund of any money erroneously paid or collected for taxes, whether paid under compulsion or protest or not.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

H. 1328. To prescribe the qualifications and additional duties of county superintendents, and to provide a more efficient supervision for the public schools of Alabama.

Was taken up. Mr. Lee, of Houston, offered the following amendment to the bill:

To amend section 1 of bill by adding after the words "good moral character," and either a 1st, 2nd or 3rd grade teacher's license.

Mr. McDuffie moved to table the amendment offered by Mr. Lee, of Houston, and the motion was lost.

Yeas, 37; nays, 48.

Yeas:

Messrs:—

Ballard (Autauga)	Lee (Barbour)	Price
Ballard (Pike)	Lindsey	Pugh
Bloch	Long (Morgan)	Ralner
Cannon	Malone	Rice
Cranford	Mitchell	Sample
Crum	McDuffie	Sanders
Doyle (Marengo)	McMillan	Smith (Elmore)
Edwards	Norville	Smith (Lee)
Elrod	Pearson	Thompson
Fuller	Pitts (Dallas)	White (Perry)
Goodwyn	Pitts (Perry)	Williams
Hughston	Powell (Bullock)	Woolf
Kornegay		

—37.

Nays:

Messrs:—

Speaker	Henley	Moore
Alford	Hoffman	McCrory
Arnold	Jenkins	Peete
Arrington	John	Power
Avery	Johnson	Rattray
Barton	Jones	Rowe
Benners	Killen	Sanford
Brown	Kirby	Smith (Etowah)
Bulger	Lancaster	Smith (Franklin)
Carmichael (Clay)	Lawson	Steagall
Coleman (Marshall)	Lee (Etowah)	Tunstall
Cooper	Lee (Houston)	Turner
Dudley	Lovelady	Urquhart
Foster	Maner	Vann
Glover	Mastin	Weaver
Haley	Middleton	White (Lamar)

—48.

Mr. Tunstall offered the following amendment to the amendment offered by Mr. Lee, of Houston:

Add to amendment following "provided that this qualification shall not apply to county superintendents now in office."

And the amendment to the amendment offered by Mr. Tunstall was adopted.

And the amendment as amended by the amendment offered by Mr. Tunstall, was adopted.

Yeas, 60; nays 20.

Messrs:—

Yeas:

Speaker	Henley	Pitts (Dallas)
Alford	Hoffman	Pitts (Perry)
Altman	Jenkins	Powell (Bullock)
Armstrong	John	Power
Avery	Jones	Pratt
Baltzell	King	Price
Barton	Kirby	Pugh
Benners	Kornegay	Rainer
Brown	Lancaster	Rattray
Bulger	Lee (Etowah)	Rowe
Carmichael (Clay)	Lee (Houston)	Sanders
Coleman (Marshall)	Lindsey	Smith (Etowah)
Cooper	Lovelady	Steagall
Crum	Malone	Thompson
Doyle (Marengo)	Moore	Tunstall
Dudley	McCrary	Turner
Elrod	McDuffie	Vann
Fuller	Norville	Weaver
Glover	Pearson	White (Lamar)
Haley	Peete	Wolf

—60.

Nays:

Messrs:—

Ballard (Autauga)	Hughston	Parker
Ballard (Pike)	Johnson	Rice
Bloch	Lacy (Walker)	Sample
Cannon	Lee (Barbour)	Smith (Elmore)
Boyle (Clark)	Mastin	Urquhart
Fuller	Mitchell	Williams
Goodwyn	McMillan	

—20.

And the bill:

H. 1328. To prescribe the qualifications and additional duties of county superintendents, and to provide

a more efficient supervision for the public schools of Alabama.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 29.

Yeas:

Messrs:—

Speaker	Haley	Norville
Alford	Henley	Peete
Altman	Hoffman	Pitts (Dallas)
Armstrong	Jenkins	Pitts (Perry)
Arnold	John	Power
Arrington	Johnson	Pratt
Avery	Jones	Pugh
Baltzell	Kirby	Rattray
Barton	Lancaster	Rowe
Benners	Lee (Etowah)	Smith (Etowah)
Brown	Lee (Houston)	Smith (Franklin)
Bulger	Lindsey	Thompson
Carmichael (Clay)	Lovelady	Tunstall
Coleman (Marshall)	Maner	Urquhart
Cooper	Middleton	Vann
Doyle (Marengo)	Mitchell	Weaver
Dudley	Moore	White (Lamar)
Foster	McCrary	White (Perry)
Glover	McDuffie	Woolf

—56.

Nays:

Messrs:—

Ballard (Autauga)	Kornegay	Ragsdale
Ballard (Pike)	Lacy (Walker)	Rainer
Bloch	Lee (Barbour)	Rice
Crum	Long (Morgan)	Sample
Edwards	Malone	Sanders
Elrod	Martin	Sherrod
Fuller	McMillan	Smith (Elmore)
Goodwyn	Parker	Smith (Lee)
Hughston	Pearson	Williams
Killen	Powell (Bullock)	

—29.

Mr. Lee, of Houston, moved to reconsider the vote by which the bill was passed, and Mr. Arnold moved to table the motion to reconsider, and the motion to table prevailed.

H. 1381. To amend section 2574 of the Code.

Was read a third time, at length, and passed.

Yeas, 45; nays, 10.

Yeas:

Messrs:—

Speaker	Doyle (Marengo)	McMillan
Alford	Foster	Parker
Altman	Glover	Pearson
Armstrong	Goodwyn	Peete
Arnold	Haley	Power
Avery	John	Ragsdale
Baltzell	Jones	Rice
Barton	King	Rushton
Benners	Kirby	Sherrod
Bulger	Lawson	Smith (Franklin)
Carmichael (Clay)	Lee (Barbour)	Smith (Lee)
Coleman (Marshall)	Lee (Houston)	Steagall
Cooper	Maner	Urquhart
Crum	McCrory	Weaver
Doyle (Clark)	McDuffie	White (Perry)

—45.

Nays:

Messrs:—

Arrington	Fuller	Rainer
Ballard (Pike)	Mitchell	Vann
Edwards	Moore	White (Lamar)
Elrod		

—10.

H. 677. To regulate the practice of midwifery in this State.

Was read a third time, at length, and lost.

Yeas, 27; nays, 47.

Yeas:

Messrs:—

Arrington	Benners	Doyle (Marengo)
Ballard (Autauga)	Bloch	Fuller
Baltzell	Cooper	Goodwyn

Gunter	Lovelady	Rushton
Henley	Malone	Smith (Franklin)
Hoffman	Norville	Urquhart
Lacy (Dallas)	Peete	Vann
Lacy (Walker)	Power	Weaver
Lawson	Pratt	
Lindsey	Ragsdale	

—27.

Nays:

Messrs:—

Arnold	John	Pearson
Avery	Jones	Pitts (Perry)
Ballard (Pike)	Killen	Pugh
Barton	King	Rainer
Bulger	Kornegay	Rice
Cannon	Lancaster	Sample
Coleman (Marshall)	Lee (Barbour)	Sanders
Cooper	Lee (Etowah)	Sherrod
Doyle (Clark)	Lee (Houston)	Smith (Elmore)
Edwards	Long (Butler)	Smith (Etowah)
Elrod	Mastin	Smith (Lee)
Foster	Mitchell	Turner
Glover	Moore	White (Lamar)
Goodwyn	McCrory	White (Perry)
Henley	McMillan	Woolf
Hughston	Parker	

—47.

Mr. Goodwyn moved to reconsider the vote by which the bill was lost, and demanded immediate consideration of his motion.

And the motion to reconsider was lost.

H. 32. To establish reformatories for inebriates, under the government of the trustees of "The Alabama Insane Hospitals"; to regulate the admission of inebriate persons thereto, their treatment and discipline therein, and their discharge therefrom; and to appropriate \$50,000 to erect, furnish, and equip the necessary additional buildings therefor.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Public Health, said amendment being as follows:

Amend section 16 by striking out the word "fifty" and substituting therefor the word twenty-five.

And the amendment was adopted.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	McDuffie
Alford	Gunter	McMillan
Altman	Haley	Parker
Armstrong	Hoffman	Peete
Arnold	John	Pitts (Dallas)
Arrington	Johnson	Pitts (Perry)
Avery	Jones	Power
Ballard (Autauga)	Kornegay	Pratt
Barton	Lacy (Dallas)	Pugh
Benners	Lacy (Walker)	Rainer
Bloch	Lancaster	Rattray
Brown	Lawson	Rice
Bulger	Lee (Etowah)	Rushton
Cannon	Lee (Houston)	Smith (Etowah)
Carmichael (Clay)	Lindsey	Smith (Franklin)
Crum	Long (Morgan)	Smith (Lee)
Doyle (Marengo)	Malone	Steagall
Edwards	Mastin	White (Lamar)
Foster	Middleton	Williams
Fuller	Moore	Woolf

60

Mr. John offered the following amendment to the bill:
 "Amend title of bill by striking out \$50,000 and insert in lieu thereof \$25,000."

And the amendment was adopted.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Avery	Carmichael (Clay)
Alford	Ballard (Autauga)	Coleman (Marshall)
Altman	Barton	Cooper
Armstrong	Benson	Cranford
Arnold	Brown	Crum
Arrington	Cannon	Doyle (Clark)

Dudley	Lawson	Power
Foster	Lee (Houston)	Pratt
Fuller	Lindsey	Pugh
Goodwyn	Malone	Ragsdale
Gunter	Mastin	Ratray
Haley	Moore	Smith (Etowah)
Hoffman	McCrory	Smith (Franklin)
John	McDuffie	Smith (Lee)
Johnson	McMillan	Turner
Jones	Parker	Urquhart
Kirby	Pearson	Vann
Kornegay	Peete	White (Lamar)
Lacy (Dallas)	Pitts (Dallas)	White (Perry)
Lancaster	Pitts (Perry)	

—60.

And the bill:

H. 32. To establish reformatories for inebriates, under the government of the trustees of "The Alabama Insane Hospitals"; to regulate the admission of inebriate persons thereto, their treatment and discipline therein, and their discharge therefrom; and to appropriate \$50,000 to erect, furnish, and equip the necessary additional buildings therefor.

As amended, was read a third time, at length, and passed.

Yeas, 60; nays, 1.

Yeas:

Messrs:—

Speaker	Crum	King
Altman	Doyle (Marengo)	Kirby
Arnold	Edwards	Kornegay
Arrington	Elrod	Lacy (Dallas)
Avery	Foster	Lancaster
Ballard (Autauga)	Fuller	Lawson
Ballard (Pike)	Glover	Lee (Houston)
Baltzell	Goodwyn	Malone
Benners	Haley	Mastin
Bloch	Hoffman	Moore
Brown	John	McCrory
Bulger	Johnsen	McMillan
Carmichael (Clay)	Jones	Norville

Parker	Pugh	Steagall
Pearson	Ragsdale	Tunstall
Peete	Rushton	Turner
Pitts (Dallas)	Seale	Urquhart
Pitts (Perry)	Sherrod	White (Lamar)
Powell (Bullock)	Smith (Franklin)	White (Perry)
Pratt	Smith (Lee)	Woolf

—60.

Nays:

Mr. Weaver

—1.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following: Senate Joint Resolution No. 119. Be it resolved by the Senate, the House concurring, that a commission is hereby created to consist of the chief mine inspector of the State of Alabama, two practical coal miners and two practical coal operators to be appointed by the governor, to frame and report to the next session, general or special, of the Legislature, suitable amendments to the present mining laws of the State. Said commission shall serve without pay and shall make their report to the governor within twelve months from this date. He shall lay their conclusions and the bill prepared by them before the Legislature with his views thereon. No two of said operators shall be chosen from the same county and one of them shall be what is known as a commercial operator. The miners named above shall be chosen from different counties.

And sends same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

And the S. J. R. No. 119 was referred to the standing committee on Mining and Manufacturing.

Mr. Foster moved that when the House adjourn at one o'clock that it meet again at 3 p. m.

And the motion prevailed.

ADJOURNMENT.

The hour of one o'clock having arrived, the House adjourned until 3 p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll the following members answered to their names:

Messrs:—

Speaker	Foster	Long (Morgan)
Alford	Fuller	Lovelady
Altman	Glover	Malone
Armstrong	Goodwyn	Maner
Arnold	Gunter	Middleton
Arrington	Haley	Mitchell
Avery	Henley	Moore
Ballard (Autauga)	Hoffman	McCrary
Ballard (Pike)	Hughston	McDuffie
Baltzell	Jenkins	McMillan
Barton	John	Norville
Benners	Johnson	Parker
Bloch	Jones	Pearson
Brown	Killen	Peete
Bulger	King	Pitts (Dallas)
Cannon	Kirby	Pitts (Perry)
Carmichael (Clay)	Kernegay	Powell (Bullock)
Coleman (Marshall)	Lacy (Dallas)	Powell (Covington)
Cooper	Lacy (Walker)	Power
Cranford	Lancaster	Pratt
Crum	Lawson	Price
Doyle (Clark)	Lee (Barbour)	Pugh
Doyle (Marengo)	Lee (Etowah)	Ragsdale
Dudley	Lee (Houston)	Rainer
Edwards	Lindsey	Rattray
Elrod	Long (Butler)	Rice

Rowe	Smith (Elmore)	Urquhart
Rushton	Smith (Etowah)	Vann
Sample	Smith (Franklin)	Weaver
Sanders	Smith (Lee)	White (Lamar)
Sanford	Steagall	White (Perry)
Seale	Tunstall	Williams
Sherrod	Turner	Woolf

—99.

A quorum was present.

LEAVE OF ABSENCE

Was granted to Mr. Lyons for today.

PRIVILEGES OF THE FLOOR

Were granted to Hon. Jas. J. Sullivan, of the city, for the afternoon session.

RESOLUTIONS.

The following resolutions were introduced:

By Mr. Tunstall:

H. J. R. 334. Resolved by the House, the Senate concurring, that the governor be and is hereby requested to return to the Senate H. B. 924: "A bill to be entitled an act to divide Hale county into four commissioners' districts."

Rules suspended and resolution adopted.

By Mr. John:

H. R. 335. Resolved, that S. B. 384—To provide for the establishment of high schools—be made a ~~para-~~mount, continuing order for 3 o'clock p. m., Friday, August 2, 1907.

Rules.

By Mr. John:

H. R. 336. Resolved, that S. 131, To submit to the qualified electors of the State, at the general election to be held on the first Tuesday after the first Monday in

November, 1908, an amendment to sections 46 and 48 of Art. 4 of Constitution so as to provide for bi-ennial sessions of the Legislature, be made a paramount, continuing order, immediately after reports of standing committees on Friday, Aug. 2, 1907.

Rules.

By Mr. John :

H. J. R. 337. Resolved by the Legislature of Alabama, that the three servants who waited on the joint committee on the Code be paid twenty dollars each, upon the order of the chairman of the committee.

Rules.

REPORT OF RULES COMMITTEE.

Mr. John, acting chairman of the standing committee on Rules, reported that said committee in session had acted on the following resolutions and ordered same returned to the House with a favorable report :

By Mr. Bulger :

H. R. 329. Resolved, that on and after today no member will be allowed to speak more than one time nor longer than five minutes on any subject.

And the resolution was adopted.

By Mr. Peete :

H. R. No. 331. Resolved, that House bill, H. 320, To educate the children of Alabama on the evils of intemperance, be made a special order for Thursday, August 1st, 1907.

And the resolution was adopted.

BILLS ON THIRD READING.

H. 1131. To provide for the care and preservation of the lands of "The Alabama Insane Hospitals," and to require the trustees to convey to the corporation their title thereto and to provide for the issuance of patents direct to the purchaser from the Alabama Insane Hos-

pitals, or to the corporation, and to protect the lands from illegal sales for taxes.

Was read a third time, at length, and passed.

Yeas, 63; nays, 1.

Yeas:

Messrs:—

Speaker	Johnson	Power
Alford	Jones	Pratt
Altman	Killen	Price
Arnold	King	Pugh
Avery	Kornegay	Ragsdale
Benners	Lacy (Dallas)	Rainer
Bloch	Lancaster	Rattray
Brown	Lawson	Rice
Cannon	Lee (Etowah)	Rowe
Carmichael (Clay)	Lee (Houston)	Sample
Crum	Lindsey	Sanders
Doyle (Clark)	Long (Morgan)	Sanford
Doyle (Marengo)	Lovelady	Sherrod
Edwards	Mitchell	Smith (Elmore)
Foster	Moore	Smith (Franklin)
Fuller	McCrary	Smith (Lee)
Glover	McMillan	Tunstall
Haley	Pearson	Turner
Hoffman	Peete	White (Lamar)
Hughston	Pitts (Perry)	White (Perry)
John	Powell (Bullock)	Woolf

Nays:

—63

Nays:

Mr. Jenkins

—1.

H. 1337. To require the sheriff of Lawrence county to procure from the office of the United States Internal Revenue Collector for the State of Alabama, a list of persons, firms or corporations in Lawrence county, to whom licenses have been issued for the sale of spirituous, vinous or malt liquors, and to publish the same in some newspaper, published in said county.

Was read a third time, at length, and passed.

Yeas, 65; nays, 0.

Yeas:**Messrs:—**

Speaker	Haley	Powell (Bullock)
Alford	Hoffman	Power
Altman	John	Pratt
Avery	Johnson	Price
Ballard (Autauga)	Jones	Pugn
Baltzell	Killen	Ragsdale
Benners	King	Ratray
Bloch	Kirby	Rice
Brown	Kornegay	Rowe
Cannon	Lawson	Rushton
Carmichael (Clay)	Long (Morgan)	Sample
Coleman (Marshall)	Lovelady	Sanders
Cooper	Malone	Sherrod
Crum	Mastin	Smith (Franklin)
Doyle (Clark)	Mitchell	Smith (Lee)
Doyle (Marengo)	Moore	Tunstall
Dudley	McCrory	Turner
Edwards	McMillan	Weaver
Foster	Parker	White (Lamar)
Fuller	Pearson	White (Perry)
Glover	Peete	Woelf
Goodwyn	Pitts (Perry)	

—65.

H. 1300. To amend section 393 of the Code of 1896.

Was read a third time, at length, and passed. .

Yeas, 58; nays, 0.

Yeas:**Messrs:—**

Speaker	Carmichael (Clay)	Hoffman
Alford	Coleman (Marshall)	Hughston
Altman	Crum	Jenkins
Avery	Doyle (Marengo)	John
Ballard (Autauga)	Edwards	Johnson
Baltzell	Foster	Jones
Benners	Fuller	King
Bloch	Glover	Kornegay
Brown	Goodwyn	Lacy (Dallas)
Cannon	Haley	Lancaster

Lawson	Peete	Sanders
Lee (Houston)	Powell (Bullock)	Smith (Elmore)
Long (Morgan)	Power	Smith (Franklin)
Lovelady	Pratt	Smith (Lee)
Malone	Pugh	Tunstall
Mitchell	Rainer	Turner
Moore	Rowe	Urquhart
McCrory	Rushton	White (Lamar)
McMillan	Sample	Woolf
Parker		

—58.

REPORT OF STANDING COMMITTEE.

Mr. Bloch, chairman of the standing committee on Mining and Manufacturing, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report with amendment:

S. J. R. No.—. Relative to the appointment of a committee by the governor to frame suitable amendments to the present mining laws of the State.

And the resolution was read a second time and placed on the calendar.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills:

S. 196. An act to provide for the election of only one justice of the peace for each precinct within or partly within the city of Montgomery; and to define the powers and jurisdiction of said justices of the peace.

S. 395. To amend an act entitled "An act to establish a charter for the town of Wedowee, Randolph county, Alabama," approved February 8, 1901.

S. 402. To provide for the holding of a term of the circuit court of the Fifth judicial circuit of Coosa county, at Goodwater and to regulate the same.

S. 479. To provide for the more efficient working of the public roads in Mobile county and certain streets

and public thoroughfares in the city of Mobile; provide for the control, working, building, maintenance and improvement of the same by the board of revenue and road commissioners of Mobile county; to prescribe the duties and fix the authority of said board; to provide for the levy and collection of a road tax and the method of disbursing moneys necessary to carry out the provisions of this act, and provide penalties for violations of its provisions.

S. 485. To amend section (6) six, of an act entitled an act to create the office of associate judge of the city court of Gadsden; to provide for the qualification, election and appointment of such judge; to fix the term of office; to define his powers and duties and to provide for the payment of his salary.

S. 495. To create a board of education for the Huntsville school district of Madison county, Alabama, to provide for the election of their successors, to define the powers and duties of said board and provide for the management, support and maintenance of the public schools of said district.

S. 512. To confer equity jurisdiction upon the circuit courts of Walker and Winston counties; to prescribe the times of calling the equity dockets in the circuit courts in said counties, and to provide a register for said courts.

S. 527. To provide for the payment of witnesses before the grand juries and State witnesses in all criminal cases, and fees of the sheriff of the county of Montgomery and clerks of the city court of Montgomery and the county court in and for said county, in criminal cases where the State fails to convict out of the general fund of Montgomery county. And provide compensation for the clerk of the board of revenue for services required of him under this act.

S. 305. To enlarge the powers of the board of trustees, hereafter to be known as the board of education of the school district of New Decatur.

S. 547. To appropriate the sum of \$537.72 to pay the expenses of the Fertilizer and Cotton Seed Oil Mill In-

vestigating Committee and for the disbursement of the same.

S. 548. For the relief of Mrs. M. J. Smyley of Marengo county, the widow of a confederate soldier.

S. 592. To amend section 1 of an act entitled an act to alter, re-arrange and extend the corporate limits of the city of Mobile, Alabama," approved March 2, 1907.

Your signature thereto is requested.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing message from the Senate.

UNFINISHED BUSINESS.

The House proceeded to the consideration of the unfinished business, which was the bill:

H. 1278. To amend sections 7 and 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the counties of this State, approved October 10th, 1903.

~~The question was upon the adoption of the amendment offered by Mr. Pitts, of Perry, to the bill.~~

Mr. Tunstall offered the following substitute for the bill and pending amendment:

A BILL

To be entitled an act to amend section 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the several counties of the State of Alabama, approved Oct. 10, 1903.

Section 1. Be it enacted by the Legislature of Alabama, That section 8 of an act entitled an act to provide

for the construction and maintenance of good public roads and bridges in the several counties of the State of Alabama, approved Oct. 10, 1903, be amended so as to read as follows:

Section 8. That the courts of county commissioners and boards of revenue may, if they deem it expedient or proper, divide their respective counties into "road districts" and when such districts are created the said courts of county commissioners or boards of revenue may order elections in such districts or any of them, or in and for the entire county, for the purpose of ascertaining whether it is the will of the people of such district or districts or county that a tax of not more than one-fourth of one per centum on the taxable property in such district or districts or county shall be levied and assessed for the purpose of constructing, improving and maintaining the public roads and bridges in such district or districts or county. That such election shall be held in such manner as the courts of county commissioners or boards of revenue shall provide and only the qualified electors of such district or districts or county shall vote at such election. If a majority of the voters at such election shall vote for such tax the same shall be levied, assessed and collected as other taxes for county purposes. All taxes which may be levied and assessed under the provisions of this act shall constitute a lien on the property of the person against whom they are assessed superior to all other liens, except the State's lien for taxes. Provided, no contract shall be made except after advertisement for thirty days in some newspaper published in the county accurately describing the character of work to be done and of the time and place of letting and then only to the lowest bidder for such work, who shall enter into bond in double the amount of such bid conditioned for the proper performance of said contract according to the plans and specifications and within the time prescribed by the order of the court for such work which bond shall be approved by the judge of probate for said county. Provided also that the court of county commissioners or courts of like jurisdiction may accept a money compensation to be fixed by them not to

exceed ten dollars per capita per annum from those liable for road duty, in lieu of the labor required by law upon public roads. Said money to go into the road fund of said county and to be appropriated exclusively to the public roads in the precinct or beat from which the money was collected. Provided that no contract under this act shall be let to any State, county or municipal officer or to any firm or corporation in which any such officer is interested. That the courts of county commissioners of the several counties of the State, and similar courts of like jurisdiction, by whatever name designated, be and they are hereby authorized in their discretion to work the public roads of their respective counties by the labor of county convicts, and for this purpose may employ the county convicts of their respective counties or hire the county convicts of other counties at such sums and upon such terms and conditions as may be agreed upon, not in conflict with the general laws of the State relative to the proper care and control of such convicts. That nothing in this act shall be construed as affecting or repealing the law now in force requiring persons subject to road duty to work on the public roads for not more than ten days. Provided that this bill shall not repeal any local or special laws now in existence, unless the commissioners' court of board of public works having charge of the public roads, or other court or board of like jurisdiction having charge of public roads of any county, entered on the minutes of said court or boards adopt the provisions of this act in addition to any special or local laws that may exist in said county.

And the substitute was adopted.

Yeas, 65; nays, 2.

Yeas:

Messrs:—

Speaker

Alford

Altman

Arnold

Avery

Ballard (Pike)

Baltzell

Benners

Bloch

Brown

Cannon

Carmichael (Clay)

Coleman (Marshall)

Cooper

Crum

Doyle (Clark)

Doyle (Marengo)

Edwards

Foster

Fuller

Goodwyn

Gunter	Long (Butler)	Rice
Haley	Malone	Rowe
Henley	Maner	Rushton
Hughston	Mitchell	Sanders
Jenkins	Moore	Sanford
John	McCrory	Smith (Franklin)
Johnson	McMillan	Smith (Elmore)
Jones	Parker	Smith (Lee)
Killen	Pearson	Steagall
King	Peete	Tunstall
Kirby	Powell (Bullock)	Vann
Kornegay	Power	White (Lamar)
Lacy (Dallas)	Pratt	White (Perry)
Lancaster	Price	Woolf
Lawson	Pugh	

—65.

Nays:

Messrs:—

Pitts (Perry) Sample

—2.

And the bill:

H. 1278. To amend sections 7 and 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the counties of this State, approved October 10th, 1903.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 64; nays, 5.

Yeas:

Messrs:—

Speaker	Carmichael (Clay)	Haley
Alford	Coleman (Marshall)	John
Altman	Crum	Johnson
Avery	Doyle (Clark)	Jones
Ballard (Autauga)	Doyle (Marengo)	King
Ballard (Pike)	Edwards	Kornegay
Baltzell	Foster	Lacy (Dallas)
Benners	Fuller	Lancaster
Bloch	Glover	Lawson
Brown	Goodwyn	Lee (Barbour)
Cannon	Gunter	Lee (Houston)

Lindsey	Peete	Sanford
Long (Butler)	Pitts (Dallas)	Smith (Elmore)
Long (Morgan)	Power	Smith (Franklin)
Lovelady	Pratt	Smith (Lee)
Malone	Price	Steagall
Maner	Rainer	Tunstall
Mitchell	Ratray	Urquhart
McCrory	Rice	Vann
McMillan	Rushton	White (Lamar)
Parker	Sanders	White (Perry)
Pearson		

—64.

Nays:

Messrs:—

Arnold

Kirby

Pugh

Sample

Sherrod

—5.

BILL ON THIRD READING.

H. 320. To educate the children of Alabama on the evils of intemperance.

Was read a third time, at length, and passed.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Speaker	Doyle (Clark)	Long (Morgan)
Alford	Edwards	Malone
Altman	Elrod	Maner
Armstrong	Fuller	Mitchell
Arnold	Goodwyn	Moore
Avery	Haley	McCrory
Ballard (Autauga)	Hugliston	McMillan
Ballard (Pike)	John	Parker
Baltzell	Johnson	Pearson
Benners	Jones	Peete
Brown	King	Pitts (Dallas)
Cannon	Kirby	Pratt
Carmichael (Clay)	Kornegay	Price
Coleman (Marshall)	Lacy (Dallas)	Ragsdale
Cranford	Lancaster	Rainer
Crum	Lawson	Ratray

Rice	Sherrod	White (Lamar)
Rowe	Smith (Lee)	Williams
Rushton	Turner	Woolf
Sanford	Urquhart	

—59.

Mr. Tunstall asked unanimous consent to withdraw H. 1395. Consent was granted and the bill, H. 1395, was withdrawn.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Mr. Speaker:

Your committee on Engrossed Bills begs leave to report that it has examined and found correctly engrossed the following bill:

H. 1278. To amend section 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the several counties of the State of Alabama, approved October 10, 1903.

Ernest Lacy,
Chairman.

The report of the committee was concurred in.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bill:

S. 578 1-2. To appropriate the sum of \$15,000.00 to defray the expenses of erecting and procuring a memorial statute to Hon. John Tyler Morgan in Statuary Hall.

And sends same herewith to the House without engrossment.

S. 633. To regulate the taxing of dogs in Madison county, Alabama, and for the protection of sheep, cattle, horses, swine and other live stock in said county; to provide penalties for its violation; to repeal all laws in conflict.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama, }
Madison County. }

Before me, Rachel Tomlinson, notary public in and for said county and State, this day personally appeared R. L. O'Neal, who, being duly sworn, deposes and says that the following notice of intention to apply for a local law, to-wit:

NOTICE.

Notice is hereby given that at the adjourned term of the present session of the Legislature of Alabama, beginning July 9, 1907, a bill will be offered for passage taxing dogs in Madison county one dollar per annum for each male dog and two and a half dollars per annum for each female dog. The money raised by said tax shall be kept separate and used, first, for the purpose of paying damage to the owner for sheep and other stock destroyed by dogs during each year. At the end of each year the balance in this fund shall be paid to the county superintendent of education for the equal benefit of all public schools in the county and shall be disbursed as are other school funds. Should the tax from this source in any one year be insufficient to pay the damage for sheep and other stock destroyed by dogs, such claims for damage ~~shall go over to the next succeeding years and shall be~~ a prior lien on such fund in the order of their filing. The bill will also provide the manner of the assessment and collection of said tax, with whom it shall be deposited and the manner of its disbursement.

Was published once a week for four consecutive weeks upon the following dates, to-wit: June 12, 19, 26, July 3, 1907, in The Weekly Mercury, a newspaper published in Madison county, Alabama, and that affiant is the publisher and proprietor of said newspaper.

R. L. O'Neal.

Sworn to and subscribed before me this 8th day of July, 1907.

Rachel Tomlinson,
Notary Public.

And has amended, as therein shown, and as amended has passed :

H. 625. To provide for and regulate the working of the public roads in Tallapoosa county, Alabama, and to punish defaulters who fail or refuse to work said roads.

And returns same herewith to the House.

And has originated and adopted :

S. J. R. 123. Relative to the erasure of signature from H. B. 924.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message were read one time and referred to appropriate standing committees as follows :

Appropriations, S. 578 1-2.

Game, Fish and Forrestry Preservation, S. 633.

On motion of Mr. Bulger, the House concurred in the Senate amendment to the bill, H. 625, said Senate amendment being as follows :

Amend by adding to section 3 the following: Nothing herein shall be so construed as to prevent the county commissioners or overseer from contracting with persons subject to road duty for necessary teams to be used in working said roads to be accepted in lieu of labor of such hands.

Amend by striking out section 17 of the bill.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Speaker	Ballard (Pike)	Coleman (Marshall)
Alford	Baltzell	Cooper
Altman	Benners	Doyle (Clark)
Arnold	Bloch	Edwards
Arrington	Brown	Elrod
Avery	Cannon	Foster
Ballard (Autauga)	Carmichael (Clay)	Fuller

Glover	Lee (Barbour)	Power
Goodwyn	Lee (Houston)	Price
Gunter	Long (Butler)	Ragsdale
Haley	Lovelady	Ralner
Hughston	Maner	Rice
Jenkins	Mitchell	Rowe
John	Moore	Sanford
Jones	McCrary	Sherrod
King	McMillan	Smith (Franklin)
Kirby	Parker	Steagall
Kornegay	Pearson	Tunstall
Lacy (Dallas)	Pitts (Dallas)	Turner
Lancaster	Pitts (Perry)	

—59.

On motion of Mr. Tunstall, the House concurred in the Senate joint resolution No. 123 relative to the erasure of signature from the bill, H. 924.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The President of the Senate having erased his signature from H. 924 herewith sent, you are hereby requested to erase your signature therefrom.

J. A. Kyle,
Secretary.

ERASURE OF SIGNATURE.

The Speaker of the House, in the presence of the House, erased his signature from the bill, H. 924.

SPECIAL ORDER.

The hour having arrived, the House proceeded to the consideration of the special order, which was the bill :

H. 46. Regulating the sale of food in the State of Alabama and providing penalties for the violation thereof.

The question was upon the adoption of the substitute reported by the standing committee on Public Health, said substitute being as follows:

Substitute for H. B. 46:

A BILL

To be entitled an act to regulate the sale of food and drugs in the State of Alabama and to provide penalties for the violation thereof.

Section 1. Be it enacted by the Legislature of Alabama, That it shall be unlawful for any person to manufacture or sell or offer for sale any article of food or drug which is adulterated or misbranded within the meaning of this act, and any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and shall upon conviction for the first offense be fined not to exceed \$50.00, and for each subsequent offense and conviction thereof shall be fined not less than \$50.00, nor more than \$500.00. Provided, that no article shall be deemed to be misbranded or adulterated within the provisions of this act when intended for export to any foreign country and prepared or packed according to the specifications or directions of the foreign purchaser when no substance used in the preparation or packing thereof is in conflict with the laws of the foreign country to which said article is intended to be shipped. But if said article shall be in fact sold or offered for sale for domestic use or consumption, then this proviso shall not exempt said article from the operation of any provisions of this act. And provided further, that this act shall not affect harmless flavoring or coloring extracts.

Section 2. That the term "drug" as used in this act, shall include all medicines and preparations recognized in the United States Pharmacopoeia or national formulary for internal or external use, and any substance intended to be used for the cure, mitigation or prevention of disease of either man or domestic animals.

The term "food" as used herein shall include all articles used for food, drink, confectionery or condiment by

man or domestic animals, whether simple, mixed or compound, except spirituous, vinous or malt liquors.

Section 3. That for the purpose of this act, an article shall be deemed to be adulterated.

In case of drugs:

First: If when a drug is sold under or by a name recognized in the United States Pharmacopoeia or national formulary, it differs from the standard of strength, quality or purity as determined by the test laid down in the United States Pharmacopoeia or national formulary official at the time of manufacturing. Provided that no drug defined in the United States Pharmacopoeia or national formulary shall be deemed to be adulterated under this provision if the standard of strength, quality or purity be plainly stated upon the bottle, box or other container thereof, although the standard may differ from that determined by the test laid down in the United States Pharmacopoeia or national formulary and may vary from 3 per cent. to five per cent. as the case may be.

Second: If its strength or purity fall below the professed standard or quality under which it is sold. Provided that nothing in this act shall apply to any drugs or cartons in stock at the time this act goes into effect; provided, all such goods and cartons are labelled, stamped or marked "on hand before pure food and drug bill went into effect," and every person failing to stamp, ~~label or mark such goods~~ shall be deemed guilty of a misdemeanor, and subject to a fine for each and every such offense of not less than \$10.00 nor more than twenty-five dollars.

In case of confectionery:

If it contain terra alba, barytes, talc, chrome yellow or other mineral substance or poisonous color or flavor, or other ingredient deleterious or detrimental to health, or any vinous, malt or spirituous liquor or compound or narcotic drug.

In the case of food:

First: If any substance has been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.

Second: If any substance has been substituted wholly or in part for the article.

Third: If any valuable constituent of the article has been wholly or in part abstracted.

Fourth: If it be mixed or colored, powdered, coated or stained in a manner whereby damage or inferiority is concealed.

Fifth: If it contain any added poisonous or other added deleterious ingredient which may render such article injurious to health. Provided, that when in the preparation of food products for shipment they are preserved by any external application applied in such manner that the preservative is necessarily removed mechanically, or by maceration in water, or otherwise, and directions for the removal of said preservative shall be printed on the covering of the package, the provisions of this act shall be construed as applying only when said products are ready for consumption.

Sixth: If it consists in whole or in part of a filthy, decomposed or putrid animal or vegetable substance or any portion of an animal unfit for food, whether manufactured or not; or if it is the product of a diseased animal or one that has died otherwise than by slaughter.

Section 4. That the term "misbranded," as used herein, shall apply to all drugs or articles of food or articles which enter into the composition of food, the package or label of which shall bear any statement, design or device regarding such article or the ingredients or substances contained therein, which shall be false or misleading in any particular; and to any food or drug product which is falsely branded as to the State, territory or country, in which it is manufactured or produced.

That for the purposes of this act, an article shall also be deemed to be "misbranded";

In the case of drugs:

First: If it be an imitation of, or offered for sale under the name of another article.

Second: If the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package; or if the package fail to bear a statement on the label of

the quantity or proportion of any alcohol, morphine, cocaine, heroin, alfa or beta, ereucaime, chloroform, cannabis, indica, chloral hydrate or acetanlide, or any derivative or preparation of any such substances contained therein. Provided that the provisions of this act shall not apply to paregoric or laudanum recognized in the United States Pharmacopoeia or national formulary. Provided further, that nothing in this paragraph shall be construed to apply to the dispensing of prescriptions written by regularly licensed practicing physicians, veterinary surgeons and dentists, and kept on file by the dispensing pharmacist, nor to such drugs as are recognized in the United States Pharmacopoeia and the national formulary, and which are sold under the name by which they are so recognized.

In the case of food :

First: If it be an imitation of or offered for sale under the same name of another article.

Second: If it be labelled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package; or if it fail to bear a statement on the label of the quantity or proportion of any morphine, cocaine, heroin, alfa or betta, eucaine, chloroform, cannabis, indica, chloral hydrate or acetanlide or any derivative or preparation of any such substances contained therein.

Third: If the package form and the contents are stated in terms of weight and measure that are not plainly and clearly stated on the outside of the package.

Fourth: If the package containing it or its label shall bear any statement, design or device regarding the ingredients or the substances contained therein, which statement, design or device shall be false or misleading in any particular. Provided, that an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in the following case:

In the case of mixtures or compounds which may be now or from time to time hereafter mentioned as articles

of food under their own distinctive names, and not an imitation of or offered for sale under the distinctive name of another article, if the name be accompanied on the same label or brand with a statement of the place where the said article has been manufactured or produced.

Section 5. That no dealer shall be prosecuted under the provisions of this act when he can establish a guaranty signed by the wholesaler, jobber, manufacturer or other party residing in this State, from whom he purchased such articles to the effect that the same is not adulterated or misbranded within the meaning of this act, designating it. Said guaranty, to afford protection, shall contain the name and address of the party or parties making the sale of such articles to such dealer, and in such case said party or parties shall be amenable to the prosecutions, fines, and other penalties which would attach in due course to the dealer, under the provisions of this act.

Section 6. That nothing in this act shall be so construed as to require or compel proprietors or manufacturers or sellers of proprietary foods which contain no unwholesome substances to disclose their trade formulas, except so far as the provisions of this act require to secure freedom from adulteration or imitation. But in the case of baking powder, every can or other package shall be labelled so as to show clearly what acid salt has been used in the making of the same.

Provided, that no dealer shall be convicted under the provisions of this act when he can establish a written guaranty of purity in the form approved by the chemist of the Agriculture Experiment Station of the Alabama Polytechnic Institute, signed by the wholesaler, jobber, manufacturer, or other party from whom he purchased said articles.

Section 7. That the chemist of the Agriculture Experiment Station of the Alabama Polytechnic Institute shall make or cause to be made examinations of samples of food and drugs manufactured or on sale in Alabama at such time and place and to such extent as he may determine. He shall also make or cause to be made

analyses of all food and drug products which the State Board of Health may suspect of being injurious to health, and of any sample of food or drug furnished by the solicitor of any circuit or county of this State.

Section 8. That whenever any sample shall have been examined and found to be adulterated or misbranded in violation of this act the chemist shall certify the facts to the solicitor of the circuit or county in which the said adulterated or misbranded food or drug was found, together with a statement of the results of the examination of said article of food or drug, duly authenticated by the analyst under oath, and taken before some officer of this State authorized to administer an oath, having a seal. And it shall be the duty of every solicitor of every circuit or county to whom the chemist of said station shall report any violation of this act to cause proceedings to be commenced against the party so violating the act, and the same prosecuted in the manner as required by law.

Section 9. That said stations shall make an annual report to the governor upon adulterated food and drug products in addition to the reports now required by law, which shall not exceed one hundred pages, and said report may be included in the report which said station is already authorized by law to make, and such annual reports shall be submitted to the Legislature at its regular session.

~~Section 10. That the said experiment station may issue at least once a year a bulletin giving the results of all analyses of samples taken under this act, together with the names of the parties from whom the samples were taken as far as possible; the names of the manufacturers, the number of samples found to be adulterated; the number not found adulterated, and the number of adulterated samples that have been reported by the station to the different solicitors of the State.~~

The edition of this bulletin shall not be less than 10,000 copies to be distributed free to citizens of the State who may desire the same and to other interested persons, so long as the edition may last.

Section 11. That said experiment station shall receive three dollars (\$3.00) for the analysis of each sample taken in accordance with this act, and all necessary expenses in carrying out the provisions of this act, including expenses for procuring samples, expert witnesses attending the grand juries and courts, clerk hire and attorneys fees, printing of reports and bulletins and postage; provided, the total expenses from all sources shall not exceed in any one year the sum of ten thousand dollars (\$10,000). The chemist of said experiment station shall furnish to the auditor of the State an itemized statement of all expenditures of money under this act, and the amount of fee for the analyses and expenditure shall be paid quarterly on the 10th day of April, July, October and January, by the treasurer of the State on the written request of the board of trustees of said experiment station, out of the funds accruing from the tax on "concentrated commercial feeding stuffs" and for the payment of the same, the auditor is directed to draw his warrant upon the treasurer as in the manner of the payment of other claims against the State of Alabama.

Section 12. That all fines and forfeitures recovered under this act shall be paid into the State treasury by the clerk of the court where the same was tried and there kept as a separate fund to pay in part the necessary expenses in maintaining the same.

Section 13. That no civil action shall be maintained in any court in this State on account of any sale or other contract made in violation of this act.

Section 14. That any citizen residing within this State, shall have the right to have any sample of food or drug analyzed by the said chemist of said experiment station, but in order to prevent the sending of spurious samples for analysis, the person selecting the same shall do so in the presence of two or more disinterested persons and no less than ten per cent of the lot purchased, which sample shall be taken from one or more packages and shall be put into a bottle or can or other package, and sealed in the presence of said witnesses, and this sample placed in the hands of a disinterested person who

shall forward the same at the expense of the purchaser to the chemist of the State Experiment Station; and upon the receipt by him of such sample package, the chemist shall make or cause to be made an analysis of the same, and he shall return to such purchaser a certificate of analysis, and the said certificate when verified by the affidavit of the analyst shall be competent evidence in any court of law or equity in this State.

Section 15. That this act shall be in force and effect on and after the first day of July, 1907.

Mr. Cooper offered a substitute for the bill and substitute reported by the committee, and the substitute offered by Mr. Cooper was lost.

And the substitute reported by the committee was adopted.

Yeas, 47; nays, 20.

Yeas:

Messrs:—

Speaker	Goodwyn	McMullan
Altman	Henley	Parker
Armstrong	Hoffman	Pearson
Arnold	Hughston	Peete
Ballard (Autauga)	John	Pitts (Dallas)
Ballard (Pike)	Johnson	Power
Benners	Jones	Pitts (Perry)
Bloch	King	Price
Bulger	Kornegay	Pugh
Coleman (Marshall)	Lawson	Sample
Cranford	Lee (Etowah)	Sanders
Crum	Lindsey	Smith (Etowah)
Doyle (Clark)	Malone	Smith (Lee)
Doyle (Marengo)	Maner	Williams
Foster	Mastin	Woolf
Glover	Moore	

—47.

Nays:

Messrs:—

Avery	Edwards	Lee (Barbour)
Barton	Jenkins	Long (Butler)
Cannon	Killen	Long (Morgan)
Cooper	Lancaster	Mitchell

Pratt	Smith (Elmore)	White (Lamar)
Rushton	Smith (Franklin)	White (Perry)
Sherrod	Urquhart	

—20.

ADJOURNMENT.

Pending the further consideration of the bill, the hour of six o'clock having arrived, the House adjourned until 8 p. m.

NIGHT SESSION.

The House met pursuant to adjournment.

On a call of the roll the following members answered to their names:

Messrs:—

Speaker	Hoffman	McMillan
Alford	Hughston	Parker
Altman	Jenkins	Pearson
Arrington	John	Peete
Arnold	Johnson	Pitts (Dallas)
Armstrong	Jones	Pitts (Perry)
Avery	Killen	Powell (Bullock)
Ballard (Autauga)	King	Powder
Baltzell	Kirby	Pratt
Benners	Kornegay	Pugh
Bloch	Lacy (Dallas)	Ragsdale
Brown	Lacy (Walker)	Rainer
Cannon	Lee (Etowah)	Rattray
Carmichael (Clay)	Lee (Houston)	Rice
Cooper	Lindsey	Rowe
Cranford	Long (Butler)	Rushton
Crum	Long (Morgan)	Sample
Doyle (Clark)	Lovelady	Sanders
Doyle (Marengo)	Lyons	Sanford
Foster	Malone	Seale
Fuller	Maner	Sherrod
Glover	Mitchell	Smith (Elmore)
Goodwyn	Moore	Smith (Etowah)
Gunter	McCrory	Smith (Franklin)
Lenley	McDuffie	Smith (Lee)

Tunstall
Turner
Urquhart

Vann
Weaver
White (Lamar)

White (Perry)
Williams
Woolf

—84.

A quorum was present.

RESOLUTION.

The following resolution was introduced and referred to the standing Committee on Rules:

By Mr. John.

H. R. 338. Resolved, That S. 347, To establish and maintain a State sanatorium for consumption and tuberculosis, etc., be made a paramount continuing order for

GOVERNOR'S MESSAGE.

On motion of Mr. Long, of Butler, the House concurred in and adopted the amendment proposed by the Governor to the bill H. 1154, said governor's amendment being as follows:

To the House of Representatives,

I hereby return H. 1154 entitled an act to further amend the revenue laws of the State of Alabama, approved March 7, 1907, and I suggest the following amendment thereto, viz:

1. Amend said bill by inserting therein immediately after the words: "regularly organized," where said words occur together in said bill, the following words, viz: "As such."

B. B. Comer,
Governor.

August 1, 1907.

Yeas, 56; nays, 0.

Yeas:

MEMBERS:

Speaker
Alford
Altman
Arnold
Arrington

Avery
Bloch
Brown
Cannon
Carmichael (Clay)

Coleman (Marshall)
Cooper
Cranford
Crum
Doyle (Clark)

Doyle (Marengo)	Lee (Etowah)	Rattray
Foster	Lee (Houston)	Rowe
Fuller	Lindsey	Rushton
Glover	Long (Butler)	Sanders
Goodwyn	Lovelady	Sanford
Henley	Lyons	Smith (Franklin)
Johnson	Mitchell	Smith (Lee)
Jones	Moore	Turner
Killen	Pearson	Vann
Kirby	Peete	Weaver
Kornegay	Pitts (Perry)	White (Lamar)
Lacy (Dallas)	Power	White (Perry)
Lacy (Walker)	Ragsdale	Woolf
Lee (Barbour)	Ralner	

—56.

GOVERNOR'S MESSAGE.

On motion of Mr. Lovelady the House concurred in and adopted the amendment proposed by the governor to the bill H. 562, said governor's amendment being as follows:

House of Representatives:

I herewith return H. 562 entitled an act to regulate the practice of pharmacy and the sale of poisons in the cities and towns of more than nine hundred inhabitants in the State of Alabama and fixing the penalty for violations thereof and to repeal chapter 89 of the Civil Code of Alabama, 1896, and section 5335 of the Criminal Code of Alabama, 1896, and all other laws in conflict with the provisions of this act.

I suggest the following amendments thereto, viz:

1. Amend section 1 by striking out therefrom the words: "from among a list of three names to be submitted to the governor by the Alabama Pharmaceutical Association," where said words occur together in said section, and by inserting in lieu thereof the following words, viz: "by the governor."

Also amend section 1 by striking out therefrom the words: "as aforesaid from among a list of three names to be submitted to the governor by the Alabama Pharma-

ceutical Association," where said words occur together in said section, and by inserting in said section 1 in lieu thereof the following words: "by the governor."

B. B. Comer,
Governor.

August 1, 1907.

Yeas, 54; nays, 1.

Yeas:

Messrs:—

Speaker	Fuller	Peete
Alford	Henley	Pitts (Perry)
Altman	Jenkins	Powell (Bullock)
Armstrong	Fuller	Power
Arnold	John	Ragsdale
Avery	Johnson	Ratner
Benners	Jones	Rice
Bloch	Kirby	Rowe
Brown	Kornegay	Rushton
Cannon	Lacy (Dailas)	Sanders
Carmichael (Clay)	Lee (Barbour)	* Sherrod
Coleman (Marshall)	Lindsey	Smith (Elmore)
Cooper	Long (Butler)	Smith (Franklin)
Cranford	Lovelady	Smith (Lee)
Crum	Mitchell	Turner
Doyle (Clark)	Moore	White (Lamar)
Doyle (Marengo)	McCrory	White (Perry)
Foster	Pearson	Woolf

Goodwyn

Nays:

Mr. Pratt

—54.

—1.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bills:

S. 428. To prevent drinking intoxicating liquors in the presence of passengers on passenger trains.

And sends same herewith to the House without engrossment.

S. 453. To exempt from taxation for ten years farm wagons with wheel tires which are at least six inches wide.

And sends same herewith to the House with out engrossment.

S. 454. To further regulate and fix the time when persons are liable for the payment of poll taxes.

And sends same herewith to the House without engrossment.

And has amended as therein shown and as amended has passed,

H. 923. To provide that all confederate soldiers, sailors and their widows who are now drawing a pension and who are over the age of eighty years, shall be entitled to and receive a pension of the first class.

H. 1104. For the relief of Mary Marler, Mary J. Simpler, widows of confederate soldiers and A. Campbell, a confederate soldier, being residents of Crenshaw county, Alabama.

And return same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message were severally read one time and referred to appropriate standing committees as follows:

Temperance S. 428.

Agriculture S. 453.

Judiciary S. 454.

On motion of Mr. Tunstall, the House concurred in the Senate amendment to the bill H. 923, said Senate amendment being as follows:

Amend by adding section 2. Section 2. That proof of the age prescribed in section 1, may be made at any time by the affidavit of any competent witness taken before and certified by the judge of probate of any county, and when so made, the judge of probate shall imme-

diately forward same to the State auditor, and the said auditor shall forthwith place such person on the pension roll of the first class.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Mitchell
Alford	Hoffman	Moore
Altman	Hughston	McCrary
Armstrong	Jenkins	Pearson
Arnold	John	Peete
Avery	Johnson	Pitts (Perry)
Baltzell	Jones	Powell (Bullock)
Benness	Killen	Power
Bloch	Kirby	Pratt
Brown	Kornegay	Price
Cannon	Lacy (Dallas)	Ragsdale
Coleman (Marshall)	Lacy (Walker)	Rainer
Cooper	Lee (Barbour)	Rattray
Cranford	Lee (Etowah)	Rowe
Elrod	Lee (Houston)	Sanders
Foster	Lindsey	Sanford
Fuller	Long (Butler)	Turner
Glover	Lyons	White (Lamar)
Goodwyn		

—55.

On motion of Mr. Rushton the House concurred in the Senate amendment to the bill H. 1104, said Senate amendment being as follows:

Amend said bill by striking out section two thereof.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Cannon	Glover
Alford	Carmichael (Clay)	Goodwyn
Altman	Cooper	Henley
Avery	Cranford	Hoffman
Benness	Doyle (Clark)	Jenkins
Bloch	Foster	John
Brown	Fuller	Johnson

Jones	Long (Morgan)	Pugh
Killen	Lyons	Ragsdale
King	*Mitchell	Rainer
Kirby	Moore	Rowe
Kornegay	McCrory	Rushton
Lacy (Dallas)	Pearson	Sanders
Lacy (Walker)	Peete	Sanford
Lancaster	Pitts (Perry)	Smith (Elmore)
Lee (Barbour)	Powell (Bullock)	Smith (Franklin)
Lee (Etowah)	Power	Smith (Lee)
Lee (Houston)	Pratt	Tunstall
Lindsey	Price	Wolff
Long (Butler)		

—58.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following bill:

S. 574. To create a commission whose duty it shall be to erect a statute of the late Mr. Jefferson Davis in front of the capitol in the city of Montgomery, Alabama, and to appropriate the sum of ten thousand dollars for the purpose of erecting such statute.

And sends same herewith to the House without engrossment.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

The Senate bill, the title to which is set out in the above and foregoing Senate message, was read one time and referred to an appropriate standing committee as follows:

Appropriations, S. 574.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed:

S. 486. To further protect and promote the propagation of fish, and to protect private interests in ponds,

pools, lakes, or other reservoirs or bodies of water containing fish.

S. 323. To aid in the establishment of libraries in free public schools of this State.

S. 570. To authorize the auditor on certificate of the board of county examiners to restore confederate pensioners to the pension list and pay unpaid pensions, where through mistake, omission or inadvertence dropped from or left off the list.

S. 589. To amend sections 1 and 3 of an act entitled an act "To prohibit the sale of adulterated cotton seed meal as fertilizer, to have the same analyzed and a guaranteed analysis printed on tags and tags attached to the bags containing the same, and in case of sales in bulk to have such analysis set forth in the contract of sale and providing penalties and punishment for violations of the provisions of this act, approved March 2nd, 1907.

S. 613. To further direct the expenditure of the money covered by the appropriation heretofore made for the Alabama Industrial School for white boys.

And orders same sent forthwith to the House without engrossment.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

~~The bills, the titles to which are set out in the above~~
and foregoing Senate message, were severally read one time and referred to appropriate standing committees as follows:

Judiciary, S. 613.

Local Legislation, S. 486.

Education, S. 323.

Appropriation, S. 570.

Revision of Laws, S. 589.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended, as therein shown, and as amended has passed House bill:

H. 924. To divide the county of Hale into four commissioners' districts, and to provide for the election of a commissioner for each district.

And returns same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Tunstall, the House concurred in the Senate amendment to the bill, H. 924, said Senate amendment being as follows:

Amend by adding at end of section 1 "and thirteen."

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Peete
Alford	Hoffman	Pitts (Perry)
Altman	Hughston	Power
Arnold	John	Pratt
Avery	Johnson	Price
Baltzell	Jones	Pugh
Benners	Killen	Ragsdale
Bloch	Kirby	Rainer
Brown	Lacy (Dallas)	Rattray
Cannon	Lacy (Walker)	Rice
Carmichael (Clay)	Lee (Barbour)	Rowe
Cooper	Lee (Etowah)	Rushton
Cranford	Lindsey	Sample
Doyle (Clark)	Long (Morgan)	Seale
Doyle (Marengo)	Lovelady	Sherrod
Elrod	Middleton	Smith (Elmore)
Foster	Mitchell	Smith (Franklin)
Fuller	Moore	Tunstall
Glover	McCrory	Turner
Goodwyn	Pearson	Vann

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bill:

S. 632. "To provide for the construction, repairing, working, making, maintaining, and protection of the public roads of Geneva county, and to provide for the levying of the tax for the same, and for punishing road defaulters, and prescribing the duties of the commissioners' court with reference to said work, and for the punishment of violations of orders made by the commissioners' court."

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Is hereby given that a bill will be introduced in the Legislature of Alabama at its adjourned term which meets on the 9th of July, 1907, entitled an act, the substance of which is as follows:

To provide for the construction, repairing, working, making, maintaining and protection of the public roads of Geneva county, and to provide for the levying of a tax for the same, and for punishing road defaulters, and prescribing the duties of the commissioners' court with reference to said work, and for the punishment of violations of orders made by the commissioners' court with reference to said roads.

P. B. Davis,
F. J. Ward,
J. M. Fulford.

The State of Alabama, }
Geneva County. }

Before me, J. W. Draughon, clerk of the circuit court, personally appeared John R. Shehan, who, being duly sworn, says that he is a manager of the Geneva Reaper, a newspaper published weekly in Geneva coun-

ty, Ala., and that the notice hereto attached appeared in said Geneva Reaper in each issue of said paper, for four consecutive weeks prior hereto.

John R. Shehan.

Sworn to and subscribed before me, this July 24, 1907.

J. W. Draughon,
Clerk of Circuit Court.

S. 559. To refund to Charles Bassett, Gus Bassett, D. J. O'Connell and T. L. Baker or their heirs the sum of three hundred and forty dollars, being purchase money for certain lands heretofore erroneously sold to them by the State of Alabama.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill will be introduced during the session of the Legislature of Alabama, at the session commencing on the 9th day of July, 1907, providing for the relief of Chas. Bassett, Gus Bassett, D. J. O'Connell and T. L. Baker, or their heirs. The relief to be asked for in said bill being to pay or refund to the said Chas. Bassett, Gus Bassett, D. J. O'Connell and T. L. Baker, or their heirs, the purchase money paid by them for certain lands in Winston county, which they bought from the State of Alabama, on September 1st, 1902, said lands having been previously sold to the State for taxes, and it having been recently ascertained that the said lands did not belong to the State of Alabama, and that said Bassett et al derived no title to the lands at the time of sale to them.

This June 11, 1907.

The State of Alabama,)
Winston County.)

Before me, John S. Curtis, judge of probate in and for said county, personally appeared Geo. W. Adkins, who is known to me to be the editor and publisher of the New Era, a weekly newspaper published in said

county, who, being by me duly sworn, deposes and says that the attached notice of a bill for the relief of Chas. Bassett, Gus Bassett, D. J. O'Connell and T. L. Baker, or their heirs, to refund to them the purchase money for certain lands in Winston county, has been published in said paper for four consecutive weeks next prior to the making of this affidavit.

This July 8, 1907.

Geo. W. Adkins,
Editor and Publisher New Era.

Subscribed and sworn to before me this the 8th day of July, 1907.

John S. Curtis,
Judge of Probate.

S. 629. To amend an act entitled "an act to establish a board of revenue for Jefferson county, and for the abolishment of the court of county commissioners of said county.

And sends same herewith to the House, with notice and proof thereto attached and herewith exhibited as follows:

NOTICE AND PROOF.

An act to amend an act entitled "an act to establish a board of revenue for Jefferson county, and for the abolishment of the court of county commissioners of said county."

Section 1. Be it enacted by the Legislature of Alabama, That ~~section 11 of an act entitled, "an act to establish a board of revenue for Jefferson county, for the abolishment of the court of county commissioners of said county,"~~ be amended to read as follows:

Section 11. Be it further enacted, That each member of the board of revenue shall receive a salary of \$1,500 per annum to be paid in monthly installments of \$125, out of the county treasury on the certificate or warrant signed by the president of said board. All laws in conflict with this enactment are hereby repealed.

The State of Alabama, }
 Jefferson County. }

Before me, W. S. Morrow, a notary public in and for said county and State, personally appeared W. H. Jeffries, known to me, who, being duly sworn on oath, says that the attached notice appeared once a week for four successive weeks in the Birmingham Age-Herald, a newspaper published in Birmingham, Jefferson county, Alabama, in its issues of Dec. 19, 26, '06, and Jan. 2, 9, '07, and that affiant is advertising manager of said newspaper.

W. H. Jeffries.

Sworn to and subscribed before me this 25 day of July, 1907.

W. S. Morrow,
 Notary Public.

LEGAL NOTICE.

Notice is hereby given that application will be made to the apporaching Legislature of Alabama to pass the following act:

An act to amend an act entitled "an act to establish a board of revenue for Jefferson county, and for the abolishment of the court of county commissioners of said county."

Section 1. Be it enacted by the Legislature of Alabama, That section 11 of an act entitled, "an act to establish a board of revenue for Jefferson county; and for the abolishment of the court of county commissioners of said county," be amended to read as follows: Section 11. Be it further enacted, that each member of the board of revenue shall receive a salary of \$1,500 per annum to be paid in monthly installments of \$125, out of the county treasury on the certificate or warrant signed by the president of said board. All laws in conflict with this enactment are hereby repealed.

And the Senate has concurred in:

H. J. R. 334. Resolved by the House, the Senate concurring, that the governor be and he is requested to return H. B. 924, ect.

And has amended, as therein shown, and as amended has passed:

H. 1293. To allow the selling or otherwise lawfully disposing of lager beer by the proprietor, or manager, of the Park hotel to be erected at Montrose in Baldwin county.

And returns same herewith to the House.

H. 1362. To establish a dispensary in and for the town of "Floralla" in the county of Covington, State of Alabama, and to provide for the conduct and regulation of the same.

And returns same herewith to the House.

H. 1196. To amend section thirteen of an act to establish, maintain and regulate a dispensary in the town of Marion, Perry county, Alabama, for the sale of spirituous or vinous liquors, malt liquors, wines, ciders, or other intoxicating liquors and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors and for other purposes, approved February 28, 1901.

And returns same herewith to the House.

H. 938. To alter or re-arrange the boundary lines of the city of Bessemer, Jefferson county, Alabama.

And returns same herewith to the House.

H. 868. To prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating drinks or beverages within five miles of the Corona Methodist church in Corona, in Walker county, Alabama.

And returns same herewith to the House.

J. A. Kyle,
Secretary.

SENATE MESSAGE,

The Senate bills, the titles to which are set out in the above and foregoing Senate message, were read one time and referred to appropriate standing committees as follows:

Local Legislation, S. 632.

Appropriations, S. 559.

Judiciary, S. 629.

On motion of Mr. Jenkins, the House concurred in the Senate amendment to the bill, H. 1293, said Senate amendment being as follows:

Amend by adding at the end of section 2 the following: "Provided that the right herein given shall be operative and effective only when a hotel shall be built at Montrose, in Baldwin county, Alabama, consisting of not less than 25 rooms, and provided further that this right shall only be exercised during the time said hotel shall be in operation as a hotel, and shall be nullified whenever the said hotel shall cease to be operated as such, and provided further that all sales of lager beer shall be made within the curtilage of said hotel"

Yeas, 55; nays, 1.

Yeas:

Messrs:—

Speaker	Gunter	Peete
Alford	Henley	Power
Altman	Jenkins	Pratt
Arnold	John	Price
Avery	Jones	Pugh
Baltzell	Killen	Rainer
Barton	King	Ratray
Benners	Kirby	Rice
Bloch	Lacy (Walker)	Rowe
Brown	Lawson	Sample
Cannon	Lindsey	Sanders
Cooper	Lyons	Sanford
Crum	Malone	Seale
Dudley	Maner	Sherrod
Elrod	Moore	Turner
Foster	Norville	Vann
Fuller	Parker	Weaver
Glover	Pearson	Woolf
Goodwyn		

Nays:

Mr. Hoffman

On motion of Mr. Long, of Butler, the Senate amendment to the bill, H. 1362, was temporarily passed.

On motion of Mr. White, of Perry, the House concurred in the Senate amendment to the bill H. 1196, said Senate amendment being as follows:

1. Amend section thirteen of said bill by adding after the words "October, 1907," where they first occur in the bill by inserting after same these words "and on the first days of January, April, July and October of each year thereafter."

2. Strike out the words "and ascertained" where they occur in said bill and insert in lieu thereof these words "and ascertain and".

3. Insert after the words "audit the accounts" where they occur in said bill these words "and take an inventory of the stock on hand."

4. Insert after the words "goes for prohibition" where they occur in said bill these words "and the validity of said election is not set aside or held for naught."

Yeas, 61; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Pitts (Perry)
Alford	Gunter	Powell (Bullock)
Altman	Henley	Power
Arnold	Hoffman	Pugh
Avery	Jenkins	Ragsdale
Barton	John	Rainer
Benners	Johnson	Rattray
Bloch	Jones	Rowe
Carmichael (Clay)	Hornegay	Rushton
Coleman (Marshall)	Lacy (Dallas)	Sanders
Cooper	Lacy (Walker)	Sherrod
Cranford	Lee (Barbour)	Smith (Elmore)
Crum	Long (Butler)	Smith (Franklin)
Doyle (Clark)	Maner	Smith (Lee)
Doyle (Marengo)	Middleton	Thompson
Dudley	Mitchell	Turner
Edwards	Moore	Urquhart
Elrod	McMillan	Vann
Foster	Pearson	White (Lamar)
Fulmer	Pitts (Dallas)	Woolf
Glover		

On motion of Mr. Ragsdale, the House concurred in the Senate amendment to the bill, H. 938, said Senate amendment being as follows:

Amend section 2 by striking out the words, "above described territory all incorporated towns embraced in the above territory shall each be a separate and distinct voting place, and unless a majority of the qualified electors voting at such an election" where they first occur therein and inserting in lieu thereof the following words "territory which is not now embraced in the corporate limits of the city of Bessemer, each incorporated town embraced in said last mentioned territory shall be a separate and distinct voting place, and unless a majority of the qualified electors voting at such voting place within such town in such election."

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Pitts (Perry)
Alford	Hoffman	Powell (Bullock)
Altman	Jenkins	Power
Arnold	John	Pratt
Avery	Johnson	Price
Barton	Jones	Pugh
Benners	Kornegay	Ragsdale
Bloch	Lacy (Dallas)	Rainer
Brown	Lacy (Walker)	Rice
Cannon	Lawson	Rowe
Carmichael (Clay)	Lee (Barbour)	Rushton
Cooper	Lee (Etowah)	Sample
Cranford	Long (Butler)	Sanford
Crum	Lyons	Sherrod
Doyle (Clark)	Maner	Smith (Elmore)
Doyle (Marengo)	Mitchell	Smith (Lee)
Dudley	Moore	Steagall
Edwards	McCrory	Thompson
Glover	McMillan	Vann
Goodwyn	Pearson	White (Perry)
Gunter	Pitts (Dallas)	Woolf

On motion of Mr. Lacy, of Walker, the House concurred in the Senate amendment to the bill H. 868, said Senate amendment being as follows:

Amendment to House bill number 868, amend by adding section 3, as follows:

Section 3. This act shall not go into effect until the first day of January, 1908.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Norville
Alford	Henley	Pearson
Altman	Hughston	Peete
Avery	Jenkins	Power
Baltzell	John	Pratt
Benners	Johnson	Price
Bloch	Jones	Ragsdale
Brown	Killen	Rainer
Bulger	Kornegay	Rattray
Carmichael (Clay)	Lacy (Dallas)	Rice
Coleman (Marshall)	Lacy (Walker)	Rowe
Cooper	Lee (Barbour)	Sanders
Cranford	Lee (Etowah)	Seale
Doyle (Clark)	Lindsey	Thompson
Doyle (Marengo)	Long (Butler)	Tunstall
Foster	Lyons	Turner
Fuller	Moore	Vann
Stevens	McCrory	White (Lamar)
Goodwyn		

—55.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended, as therein shown, and as amended has passed House bills:

H. 1194. To establish, maintain and regulate a dispensary in the city of Uniontown, Perry county, Alabama, for the sale of spirituous, vinous liquors or malt liquors, wines, ciders or other intoxicating liquors, and

to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors; to provide for the distribution of the profits from the sale of said liquors in said dispensary between said city and said county, and for other purposes.

H. 900. To amend sections 2, 3, 6, 10, 11 (as amended March 2, 1901) 12, and 18 (as amended March 2, 1901) of "An act to establish a county court for the county of Clay," approved Dec. 13, 1898.

And returns same herewith to the House.

And has originated and passed:

S. 600. To make an appropriation for the erection of monuments commemorating the heroic deeds of Alabama's sons; to be expended by the Alabama Monument Commission, with the approval of the governor.

And sends same herewith to the House, without engrossment.

J. A. Kyle,
Secretary.

SENATE MESSAGE.

On motion of Mr. Pitts, of Perry, the House concurred in the Senate amendment to the bill, H. 1194, said Senate amendment being as follows:

1. Strike out of section 1 of said bill that part of said section beginning with the words "said board of directors" where they first occur in section 1 and ending with the words "the present year" and insert in lieu thereof these words "said board of directors shall be elected by the mayor and council of the city of Uniontown before October 1st, 1907, from the qualified voters of said city, not now holding an office under said city or a position in the dispensary subject to confirmation by the court of county commissioners of Perry county to hold office until May 15th, 1908."

2. Amend section thirteen of said bill by inserting after the words "October 1st, 1907," where they occur in said section these words "and on January 1st, April 1st, July 1st, and October 1st, of each year thereafter."

3. Amend section 19 of said bill by inserting after the words "goes for prohibition" where they occur in said section these words "and the validity of said election is not set aside or held for naught."

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	McCrory
Alford	Henley	Parker
Altman	Hoffman	Pearson
Armstrong	Hughston	Peete
Avery	John	Power
Baltzell	Johnson	Pratt
Bloch	Jones	Price
Brown	Killen	Pugh
Bulger	King	Ragsdale
Cannon	Kirby	Rainer
Carmichael (Clay)	Kornegay	Rice
Coleman (Marshall)	Lacy (Dallas)	Rowe
Cooper	Lee (Barbour)	Sample
Cranford	Lee (Houston)	Sanders
Crum	Lindsey	Seale
Doyle (Clark)	Long (Butler)	Sherrod
Doyle (Marengo)	Long (Morgan)	Turner
Foster	Lovelsay	Vann
Fuller	Mitchell	Woolf
Glover	Moore	

—58.

On motion of Mr. Carmichael, of Clay, the House concurred in the Senate amendment to the bill H. 900, said Senate amendment being as follows:

Change the word "July" to jury in line 4, section 5. And strike out all of section 7 of the bill.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Avery	Brown
Alford	Baltzell	Cannon
Altman	Benners	Carmichael (Clay)
Arnold	Bloch	Coleman (Marshall)

Cooper	Killen	Parker
Cranford	King	Pearson
Crum	Kornegay	Peete
Edwards	Lawson	Powell (Bullock)
Elrod	Lee (Barbour)	Power
Foster	Lindsey	Pratt
Fuller	Long (Butler)	Price
Goodwyn	Long (Morgan)	Pugh
Gunter	Lovelady	Ragsdale
Henley	Lyons	Rainer
Hoffman	Malone	Rattray
Hughston	Maner	Rice
Jenkins	Mitchell	Rowe
John	Moore	Sanders
Johnson	McCreary	Sherrod
Jones		

—58.

And the Senate bill, S. 600, the title to which is set out in the above and foregoing Senate message was read one time and referred to the standing committee on Judiciary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills:

S. 326. To repeal an act entitled an act to amend section 4630 of the Code of 1896 of Alabama, so far as the same relates to beats 10 and 11 of Bibb county, Ala., approved Feb. 21, 1899.

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

Your signature thereto is requested.

J. A. Kyle,
Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing message from the Senate.

BILLS ON THIRD READING.

H. 1288. To authorize the court of county commissioners, board of revenue, or other courts of like jurisdiction of Walker county, to contract for supplying the court rooms and the offices of the county officers with water, gas, electric lights, heat, telephones and such other conveniences as such court may deem necessary or advisable, and to keep the said rooms and offices in good condition and order and to provide for the payment of same.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Edwards	Lyons
Alford	Elrod	Malone
Altman	Foster	Maner
Arnold	Fuller	Mastin
Avery	Glover	Moore
Baltzell	Gunter	Oliver
Barton	Henley	Parker
Benners	Hoffman	Pearson
Bloch	Jenkins	Peete
Brown	John	Power
Burney	Johnston	Pratt
Cannon	Jones	Price
Cooper	Killen	Pugh
Cranford	King	Rainer
Crum	Kirby	Rice
	Lacy (Walker)	Rowe

Sample	Sherrod	Weaver
Sanders	Turner	Woolf
Seale	Vann	

—56.

H. 593. To confirm and ratify the lease of the north east quarter of section sixteen of township five, south, of range two, east, by the board of education of Baldwin county, Alabama.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Pratt
Alford	Gunter	Price
Arnold	Henlev	Pugh
Avery	Hoffman	Ragsdale
Baltzell	Jenkins	Rainer
Barton	John	Rattray
Benners	Jones	Rice
Bloch	Killen	Rowe
Brown	King	Rushton
Burner	Kirby	Sample
Cannon	Lawson	Sanders
Cooper	Lyons	Sanford
Crum	Malone	Seale
Dudley	Maner	Sherrod
Edwards	Mastin	Turner
Elrod	Moore	Vann
Foster	Parker	Weaver
Fuller	Peete	Woolf
Glover	Power	

—56.

S. 488. To increase the salary of the solicitor of the county of Etowah, as now fixed by law, and to fix the same, and to provide for its payment.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Local Legislation, which is as follows:

Amend Sec. 2 by adding the following words:

Provided that there shall have been paid into the county treasury from the earnings of said solicitor the sum of twenty-four hundred dollars on or before the 26th day of December each year after the approval of this act.

And the amendment was adopted.

Yeas, 55; nays, 1.

Yeas:

Messrs:—

Speaker	Glover	Parker
Alford	Gunter	Pearson
Altman	Henley	Peete
Arnold	Hoffman	Power
Avery	Jenkins	Fratt
Baltzell	John	Price
Barton	Jones	Pugh
Benners	Killen	Rainer
Bloch	King	Rice
Brown	Kirby	Rowe
Burney	Lawson	Sample
Cannon	Lee (Etowah)	Sanders
Cooper	Lindsey	Seale
Crum	Lyons	Sherrod
Dudley	Malone	Turner
Edwards	Maner	Vann
Elrod	Moore	Weaver
Foster	Oliver	Woolf

—55.

Nays:

Mr. Smith (Etowah)

—1.

And the bill:

S. 488. To increase the salary of the solicitor of the county of Etowah, as now fixed by law, and to fix the same, and provide for its payment.

As amended, was read a third time, at length, and passed.

Yeas, 55; nays, 1.

Yeas:**Messrs.:**

Speaker	Gunter	Peete
Alford	Healey	Power
Altman	Hoffman	Pratt
Arnold	Jenkins	Price
Avery	John	Pugh
Baltzell	Jones	Ragsdale
Barton	Killen	Rainer
Benners	King	Rattray
Bloch	Kirby	Rice
Brown	Lee (Etowah)	Rowe
Burney	Lindsey	Rushton
Cannon	Lyons	Sample
Cooper	Malone	Sanders
Crum	Maner	Sanford
Dudley	Mitchell	Seale
Elrod	Moore	Vann
Foster	Parker	Weaver
Fuller	Pearson	Woolf
Glover		

—55.

Nays:

Mr. Smith (Etowah)

—1.

S. 506. To amend section 1372 of the Code of 1896, of the State of Alabama.

Was taken up. The question was upon the adoption of the substitute reported by the standing committee on Local Legislation, said substitute being as follows:

A BILL

To be entitled an act to increase the fees for ex-officio services of the clerk of the city court of Gadsden, the judge of probate and sheriff of Etowah county, and to provide for the payment of the same.

Be it enacted by the Legislature of Alabama, That the clerk of the city court of Gadsden, the judge of probate and the sheriff of Etowah county shall be entitled

to receive a sum not exceeding four hundred dollars per annum for performing official duties not otherwise provided, to be paid out of the county treasury, in such sum and at such time as may be allowed by the court of county commissioners of Etowah county; provided, however, that said court of county commissioners may provide such sum not exceeding the amount above mentioned as to them may seem just and right.

Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, so far as the same applies to Etowah county, be and the same are hereby repealed.

And the substitute was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Parker
Alford	Glover	Peete
Altman	Goodwyn	Power
Arnold	Gunter	Pratt
Avery	Haley	Price
Baltzell	Henley	Pugh
Barton	Jenkins	Rainer
Benners	John	Rice
Bloch	Jones	Rowe
Brown	King	Sample
Bulger	Kirby	Sanders
Cannon	Lawson	Seale
Cooper	Lee (Etowah)	Sherrod
Crum	Lyons	Smith (Etowah)
Doyle (Clark)	Malone	Turner
Dudley	Maner	Vann
Edwards	Mastin	Weaver
Elrod	Mitchell	Wolf
Foster	Moore	

—56.

And the bill:

S. 506. To amend section 1372 of the Code of 1896 of the State of Alabama.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Pratt
Alford	Hoffman	Price
Altman	Jenkins	Pugh
Arnold	John	Rainer
Avery	Jones	Rice
Barton	King	Rowe
Benners	Kirby	Sample
Bloch	Lawson	Sanders
Brown	Lee (Etowah)	Seale
Bulger	Lovelady	Sherrod
Cannon	Malone	Smith (Etowah)
Cooper	Maner	Smith (Lee)
Crum	Mastin	Tunstall
Dudley	Moore	Turner
Elrod	Parker	Vann
Foster	Peete	Weaver
Fuller	Pitts (Dallas)	Williams
Glover	Pitts (Perry)	Woolf
Haley	Power	

—56.

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Bulger	Gunter
Alford	Cannon	Haley
Altman	Cooper	Henley
Arnold	Crum	Jenkins
Avery	Doyle (Clark)	John
Barton	Elrod	Jones
Benners	Foster	King
Bloch	Fuller	Kirby
Brown	Goodwyn	Lacy (Walker)

Lawson	Peete	Sanders
Lindsey	Pitts (Perry)	Seale
Lovelady	Power	Sherrod
Malone	Pratt	Smith (Etowah)
Maner	Price	Tunstall
Mitchell	Pugh	Turner
Moore	Rainer	Vann
McCrory	Rice	Weaver
Parker	Rowe	Woolf
Pearson	Sample	

—56.

H. 1372. To amend Sec. 1, 2, 3, of an act entitled an act to provide a new charter for the town of Cordova, Walker county, Alabama, approved December 13th, 1900.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Municipal Organization, said amendment being as follows:

Amend the bill by striking out section two and three, and striking out from section one the sentence beginning with the words "and the present" down to the end of the section.

And the amendment was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	Jones
Alford	Edwards	King
Altman	Elrod	Kirby
Arnold	Foster	Lacy (Walker)
Avery	Fuller	Lawson
Barton	Glover	Lindsey
Benners	Goodwyn	Malone
Bloch	Gunter	Maner
Brown	Haley	Mastin
Bulger	Henley	Moore
Cooper	Hoffman	McCrory
Cranford	Jenkins	Parker
Crum	John	Peete

Power	Rowe	Turner
Pratt	Sample	Vann
Price	Sanders	Weaver
Pugh	Seale	Williams
Rainer	Sherrod	Woolf
Rice	Thompson	

—56.

And the bill:

H. 1327. To amend Sec.. 1, 2, 3 of an act entitled an act to provide a new charter for the town of Cordova, Walker county, Alabama, approved December 13th, 1900.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Power
Alford	Haley	Pratt
Altman	Henley	Price
Arnold	Hoffman	Pugh
Avery	Jenkins	Rainer
Baltzell	John	Rattray
Barton	Johnson	Rice
Benners	Jones	Rowe
Bloch	King	Sample
Brown	Kirby	Sanders
Bulger	Lacy (Walker)	Seale
Cannon	Lawson	Sherrod
Cooper	Lindsey	Smith (Etowah)
Cranford	Malone	Thompson
Crum	Maner	Turner
Elrod	Moore	Vann
Foster	McCrory	Weaver
Fuller	Parker	Woolf
Glover	Peete	

—56.

S. 448. To repeal an act entitled an act "To define who are delinquent children and to provide for their ar-

rest and care and reformation, approved March 12, 1907," in so far as it applies to Dallas county.

Was read a third time, at length, and passed.

Yeas, 56; nays, 4.

Yeas:

Messrs:—

Speaker
Alford
Altman
Arnold
Avery
Baltzell
Barton
Benners
Bloch
Brown
Bulger
Cannon
Cooper
Cranford
Crum
Dudley
Edwards
Elrod
Fuller

Glover
Gunter
Haley
Henley
Jenkins
Johnson
Jones
King
Kirby
Kornegay
Lacy (Dallas)
Lacy (Walker)
Lawson
Long (Butler)
Lovelady
Malone
Mastin
Moore
Parker

Peete
Pitts (Dallas)
Power
Pratt
Price
Pugh
Rainer
Rice
Rowe
Sample
Sanders
Seale
Steagall
Tunstall
Turner
Vann
Weaver
Wolf

—56.

Nays:

John
Maner

Foster

—4.

S. 542. To provide for the construction, repairing, working and maintaining the public roads and bridges in Madison county.

Was taken up. The question was upon the adoption of the substitute reported by the standing committee on Local Legislation, said substitute being as follows:

Substitute for S. B. No. 542:

A BILL

To be entitled an act to provide for the construction, repairing, working and maintenance of the public roads and bridges of Madison county.

Be it enacted by the Legislature of Alabama:

Section 1. The probate judge of Madison county shall, as soon as practicable after the approval of this act, and every two years thereafter, except as hereinafter provided, appoint a supervisor of public roads for said county, whose term of office shall be two years; provided, however, that the supervisor first appointed after the approval of this act, shall hold office until the first day of October, 1909, at which time his successor shall be appointed for a term of two years, and every two years thereafter a supervisor shall be appointed. Such supervisor shall be a competent graduate civil engineer with experience in road building and shall be subject to removal by said judge for drunkenness, incompetency, neglect of duty, or for any cause to be determined by said judge. Such supervisor may make the bond required of him in section 3 of this act, in a solvent guaranty company to be approved by such judge.

Section 2. That such supervisor shall before entering upon the duties of his office, qualify by taking and filing the statutory oath of office and giving bond conditioned for the faithful performance of the duties of such office, payable to Madison county, in such sum as may be prescribed by said court, not less than one thousand dollars, with sureties thereon to be approved by the probate judge of said county, which oath and bond shall be recorded as other official bonds required to be recorded, in the office of the judge of probate.

Section 3. That the supervisor of public roads shall receive a salary for each year's service of not less than eighteen hundred dollars nor more than twenty-four hundred dollars, to be determined within said limit by the commissioners' court and to be paid to him in

monthly installments at the end of each month, by warrant to be drawn by the judge of probate on the road fund of the county.

Section 4.. That said supervisor shall have control and supervision of all the public roads of said county as to the manner of working, repairing and maintaining the same, as to changes of old roads and establishing of new roads when ordered established by the commissioners' court, and of the execution of any contract that may be made for the working and repairing roads, or of repairing and building bridges, culverts, or cause-ways; provided, that at all times the said supervisor shall be under the direction and control of the commissioners' court of said county.

Section 5. That the supervisor shall have authority, and it shall be his duty, immediately after entering on the duties of his office, to appoint a competent person in each precinct of the county as enumerator of road hands for such precinct, for a term of two years, which said enumerator shall make oath in writing that he will faithfully discharge the duties of said office, which said oath may be administered by said supervisor, and when so taken shall be filed in the office of the judge of probate of said county, and there preserved for public examination.

Section 6. That as soon as the enumerator and list of road hands hereinafter provided for shall have been made and filed in the office of the judge of probate, it shall be the duty of such enumerator, by and with the advice and under the supervision of the supervisor, to divide the public roads of each precinct into sections of such length, as he may determine, numbering consecutively the said sections, and he shall then appoint such overseers as he may deem necessary, for a term of two years, for the efficient and proper working and maintenance of the roads in such precinct, and assign such section or sections to each overseer as he may determine, and to each overseer he shall apportion such road hands for each section as to the amount and character of work to be done on such section as may, in his judgment, be necessary, and he shall deliver a list of such road hands

to such overseer and keep a duplicate list for filing in the office of said supervisor, and to there be for ready reference.

Section 7. That it shall be the duty of said supervisor to cause each overseer to take and subscribe in writing an oath that he will faithfully perform the duties of overseer, which oath may be administered by said supervisor or enumerator and shall be filed in the office of the judge of probate. To each overseer so appointed the said supervisor shall deliver a commission setting forth the section or sections over which he has been appointed, together with the grade of the road or roads of each section; provided, that when a vacancy occurs in the office of the overseer, from whatever cause, the same shall be filled by said supervisor, and provided further, that said enumerator, by and with the advice and consent of the supervisor, may at any time, remove an overseer for neglect, failure or refusal to perform his duties or for drunkenness while discharging the duties of his office.

Section 8. That said supervisor shall personally inspect all the public roads in the county at least once each year, and in making such inspection, when practicable, shall be accompanied by the overseer of the section, and he shall make such suggestions and give such directions as to changing road beds, establishing, repairing, improving and working the public roads and in building, repairing and maintaining bridges and culverts as he may deem proper. He shall make full reports of the condition of the public roads, and the manner in which any contracts have been or are being executed to the court of county commissioners at the February, May, August and November terms of said court in each year, and such special reports as said court may call for at other times.

Section 9. That the enumerator hereinbefore provided for shall, immediately after the first day of January of each year, make a thorough and complete canvass of his precinct, taking down the names and ages of all male inhabitants of the precinct over twenty-one and under forty-five years of age residing in said precinct

and entering opposite each name so enrolled the name or location of the farm on which he resides, or the location of the house in which he dwells and the name of the public road nearest to his dwelling place. The said enrollment book shall be written in a plain, legible manner, with ink, and upon the completion of the enrollment be at once filed in the office of the probate judge, or delivered to the supervisor.

Section 10. That said enumerator shall have authority to administer oaths and in making his enrollment of road hands, or at any time when it may be necessary to list persons for road service, if the person proposed to be listed shall claim to be over forty-five or under twenty-one years of age, the said enumerator may take the affidavit of such person or any person so proposed to be listed, which affidavit shall be in writing and subscribed by the affiant and the same shall be preserved and filed by such enumerator in the office of the probate judge, except in cases where he has cause to believe that perjury has been committed when he shall return such affidavit to the next grand jury; provided, that in listing persons for road duty no person who shall have a certificate of exemption from the county medical board shall be listed for the road service then ordered, unless such disability be permanent and so stated in the certificate.

Section 11. That the enumerator herein provided for shall be exempt from further road service during the ~~years he so serves, and shall receive the sum of ten dollars per year during the time he serves;~~ provided, that such enumerator shall hold office at the will of the supervisor, and may be removed by him at any time for neglect of or failure to perform his duties, or for partiality or favoritism shown therein, and upon removal shall be subject to enrollment as a road hand.

Section 12. That on the appointment of overseers the enumerator is not restricted to persons who are subject to road duty under this act, and it shall be the duty of each overseer to make quarterly reports to the supervisor of any and all moneys received by him from hands in commutation of labor, the name of the person

from whom received, and when and for what paid, and shall pay over the same to the supervisor, taking his receipt therefor, and said supervisor shall pay the same to the county treasurer to be credited by him on the books of the road fund of the county; and it shall be the duty of the commissioners' court as far as practicable, to appropriate an amount at least equal to such funds for the working or maintenance of the respective roads to which the hands paying the same were apportioned.

Any overseer appropriating for his own use any money paid to him in commutation of labor shall be guilty of embezzlement and shall be liable to criminal prosecution therefor as provided by law in such cases.

Section 13. That all persons subject to road duty under the general laws of the State shall be required to work upon the public dirt roads of said county for not less than six days in each year, or instead thereof, shall pay the sum of three dollars annually or may pay a part in money and a part in labor at fifty cents per day, to be collected as hereinafter provided.

Section 14. That whenever an overseer shall determine that a dirt road needs repairing or working, or when the supervisor shall so direct, he shall call out such hands as have been listed to him as he may deem sufficient in number to work or repair said road, but may take instead thereof fifty cents per day for each day's work for which each hand is called at the option of the hand, and if any hand shall fail or refuse to work or pay fifty cents for each day he shall fail or refuse to work, it shall be the duty of the overseer, after five day's from the warning to work was given, to return each and every hand so failing or refusing, to a justice of the peace of the county, and such road hand shall be proceeded against as a road defaulter under the general road laws of the State; provided, that the overseer may excuse defaulters on showing good excuse on oath, which may be administered by the overseer, within five days after default. Any person making a false affidavit to the overseer to get excused shall be guilty of perjury.

Section 15. That a day's work for road hands under this act shall be ten hours of actual service and the

warning of hands shall be made in accordance with the general laws of the State, but no farm hand or person engaged in farming shall be worked except between January first and March first, and July fifteenth and September first, except in opening new roads as now provided by law or, for the removal of an obstruction or other casualty or great need that prevents travel. No hand shall be required to go more than six miles from his residence in working the public roads.

Section 16. That when a road hand listed to an overseer, who has performed part of his road service, removes from a precinct, it shall be the duty of the overseer to furnish him on demand a written certificate showing the time he has served during the calendar year, which certificate shall be an exemption to such hand to the extent of the time worked from road service in any other precinct in the county to which he may remove.

Section 17. The supervisor shall let all repairing, keeping in order, building or constructing of all macadamized and gravelled roads, and public bridges, except emergency repairs of less than twenty-five dollars in value, at public outcry to the lowest responsible bidder upon such notice and at such place within the county as the commissioners' court may prescribe. All work shall be done in accordance with full and accurate specifications to be furnished by the supervisor. Each contractor shall give bond to be approved by the judge of probate, for the faithful performance of his contract equal to the amount he is to receive for the work undertaken by him. When such work is finished it shall be examined by the supervisor and if approved by him he shall give to the contractor an order on the commissioners' court for the amount of his contract which shall be paid by warrant drawn by the probate judge on the road fund of the county. The supervisor shall have the right, if he thinks the bids for work on such roads too high, to reject any and all bids made. In this event he shall re-advertise for bids for such work, and if in his judgment all bids are still too high, he shall have the right to reject them, and the commissioners' court shall

then order such work to be done by said supervisor. A careful account of the cost of such work so done by the supervisor shall be kept and filed with the probate judge and shall be open to the inspection of the public.

Section 18. Whenever a new pike or gravel road is built a dirt road of equal dimensions and flush therewith shall also be constructed, if practicable.

Section 19. Persons hauling logs, lumber or timber over the roads of the county to sell, or for another, for hire, and not for their own use or the improvement of their farms, and persons regularly engaged in the business of hauling over the roads of the county or whose principal business is hauling over the roads of the county, shall pay a license of two and one-half dollars per month for each two-horse wagon and five dollars per month for each four-horse wagon so used in hauling. It is not intended hereby to require a license for private hauling connected with or usual to the ordinary operation of a farm. Such license to be issued by the probate judge, the proceeds thereof to be paid into the road fund of the county. For issuing each license the judge shall be entitled to a fee of twenty-five cents to be paid by the party procuring the license.

It shall be unlawful to do the hauling herein forbidden without first procuring such license.

Any person violating the provisions of this section shall be guilty of a misdemeanor, and on conviction, fined not less than ten nor more than fifty dollars, to be paid in lawful money, which fine when collected shall be paid over to the road supervisor as part of the road fund.

Section 20. That the overseer of the roads appointed under this act shall be exempt from road duty, immediately after he shall serve as overseer, for the same time that he may serve as such overseer.

Section 21. That all male inhabitants of the county between the ages of twenty-one and sixty-five years are subject to road duty under this act as enumerators or overseers.

Section 22. That whenever it can be done, it is the duty of the supervisor to have the roads worked by the

overseer at such time as the implements bought and furnished by the county may be used first by one overseer and then by another, so that such implements may be used by all the overseers as much as possible.

Section 23. That any overseer or enumerator who fails to perform his duty as such under the provisions of this act, shall be liable to prosecution, and fined on conviction not less than ten dollars nor more than fifty dollars.

Section 24. That the supervisor of roads shall be under the control and direction of the commissioners' court of the county, who shall require him to devote his entire time to the public roads and bridges of the county, and he shall be furnished with all necessary stationery and blanks for the use of his office, and that he shall keep such books and accounts, lists of overseers, enumerators and road hands as to show all transactions pertaining to the establishing, working, repairing and maintenance of the public roads and bridges and shall be provided with a desk in the court house in which to keep his books and other papers pertaining to his office.

Section 25. It shall be the duty of every person, firm or corporation employing hands, to furnish the supervisor, upon his application, a list of hands in their employ between the ages of twenty-one and forty-five, and failing so to do, such person, firm or corporation shall be guilty of a misdemeanor, and on conviction fined not less than ten nor more than fifty dollars.

~~Section 26. That it shall be the duty of the court of~~
county commissioners of Madison county to have this act printed for the use of said court and other courts of the county and for the officers herein named.

Section 27. That the court of county commissioners shall have full power and authority to make and establish such rules and regulations, not in conflict with this act, as it may deem necessary for the proper establishing, working, maintaining and repairing the public roads, bridges and culverts of said county and for requiring all person charged with any duty, power or liability under this act, a rigid performance thereof.

Justices of the peace shall have jurisdiction of the offenses herein created for violations of the provisions of this act, except felonies.

Section 28. The present macadamized and graveled roads of the county shall be first put in condition, that they may be saved and kept, before any new ones are built.

Section 29. This act shall take effect October 1st, 1907, and all laws and parts of laws in conflict with any of its provisions are repealed.

And the substitute was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Fitts (Perry)
Alford	Haley	Power
Altman	Henley	Pratt
Arnold	Hoffman	Price
Avery	Jenkins	Pugh
Baltzell	John	Rainer
Barton	Jones	Rice
Benners	Killen	Rowe
Bloch	King	Sample
Brown	Kirby	Sanders
Bulger	Lacy (Walker)	Seale
Cannon	Lawson	Smith (Lee)
Cooper	Malone	Tunstall
Cranford	Maner	Turner
Crum	Mastin	Vann
Dudley	Mitchell	Weaver
Edwards	Moore	White (Perry)
Elrod	Parker	Wolff
Fuller	Peete	

—56.

And the bill:

S. 542. To provide for the construction, repairing, working and maintaining the public roads and bridges in Madison county.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:**Messrs:—**

Speaker	Fuller	Poete
Alford	Glover	Pitts (Perry)
Altman	Gunter	Power
Arnold	Haley	Pratt
Arrington	Jenkins	Price
Avery	John	Pugh
Baltzell	Jones	Rainer
Barton	King	Rice
Benners	Kirby	Rowe
Bloch	Kornegay	Rushton
Brown	Lacy (Walker)	Sample
Bulger	Lawson	Seale
Cannon	Long (Butler)	Sherrod
Cooper	Lovelady	Tunstall
Cranford	Malone	Turner
Crum	Moore	Vann
Doyle (Clark)	Parker	Weaver
Dudley	Pearson	Woolf
Elrod		

—56.

H.. 1358. To better provide for the payment of witnesses in criminal cases who are summoned and appear for the State in the several courts of Walker county.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:**Messrs:—**

Speaker	Cooper	Henley
Alford	Cranford	Jenkins
Altman	Crum	John
Arnold	Doyle (Clark)	Jones
Avery	Dudley	King
Baltzell	Elrod	Kirby
Barton	Foster	Kornegay
Benners	Fuller	Lacy (Walker)
Bloch	Glover	Lancaster
Brown	Gunter	Lawson
Bulger	Haley	Lindsey

Lovelady	Pratt	Seale
Malone	Price	Steagall
Moore	Pugh	Tunstall
Parker	Rainer	Turner
Pearson	Rice	Vann
Peete	Rowe	Weaver
Pitts (Perry)	Sample	Wolff
Power	Sanford	

—56.

S. 524. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages or drinks within five miles of the Presbyterian and Baptist churches at Pleasant Hill, Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit courts of Dallas or Lowndes counties.

Was read a third time, at length, and passed.

Yeas, 43; nays, 14.

Yeas:

Messrs:—

Speaker	Hoffman	Power
Armstrong	John	Pratt
Arnold	King	Price
Arrington	Kornegay	Pugh
Benners	Long (Morgan)	Ragsdale
Cannon	Lovelady	Rainer
Carmichael (Clay)	Lyons	Rice
Cooper	Maner	Rowe
Cranford	Moore	Sample
Doyle (Marengo)	McDuffie	Sanders
Foster	McMillan	Sanford
Fuller	Peete	Seale
Glover	Pitts (Dallas)	Smith (Franklin)
Goodwyn	Pitts (Perry)	Urquhart
Gunter		

—43.

Nays:

Messrs:—

Speaker	Avery	Doyle (Clark)
Alford	Crum	Edwards

Johnson	McCrory	Smith (Elmore)
Killen	Lacy (Walker)	Weaver
Mitchell	Powell (Bullock)	White (Lamar)

—14.

S. 581. To require the tax assessor of Mobile county to make a lot book for the years 1906, 1907 and each year thereafter, showing in abstract form all legal subdivisions which have been or which may hereafter be made of all property in Mobile county, and the name of the person, firm or corporation to whom each lot or subdivisions is assessed for the said years; and to provide compensation therefor.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Pratt
Altman	Haley	Price
Arnold	Henley	Pugh
Avery	Hoffman	Rainer
Baltzell	John	Rattray
Barton	Jones	Rice
Benners	Killen	Rowe
Bloch	King	Sample
Brown	Kirby	Seale
Bulger	Lawson	Sherrod
Coleman (Marshall)	Lindsey	Steagall
Cooper	Long (Butler)	Thompson
Crum	Lovelady	Tunstall
Dudley	Malone	Turner
Edwards	Moore	Vann
Elrod	Parker	Weaver
Foster	Pearson	Williams
Fuller	Peste	Wolff
Glover	Power	

—56.

S. 571. For the relief of Jno. S. Bonner, a disabled ex-confederate soldier of Pickens county, Alabama.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Appropriations, said amendment being as follows:

Amend the bill by striking out all amounts in act up to year 1907, and placing name on pension roll with \$30.00 pension for 1907.

And the amendment was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Peete
Altman	Gunter	Pitts (Perry)
Arnold	Haley	Power
Avery	Jenkins	Price
Baltzell	John	Pratt
Barton	Jones	Pugh
Benners	Killen	Rainer
Bloch	King	Rattray
Brown	Kirby	Rice
Bulger	Lawson	Rowe
Cooper	Lindsey	Sample
Cranford	Long (Butler)	Sanders
Cooper	Lovelady	Seale
Doyle (Clark)	Malone	Smith (Lee)
Dudley	Mitchell	Steagall
Edwards	Moore	Turner
Elrod	Norville	Vann
Foster	Parker	Weaver
Fuller	Pearson	

—56.

And the bill:

S. 571. For the relief of Jno. S. Bonner, a disabled ex-confederate soldier of Pickens county, Alabama.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Avery	Benners
Altman	Ballard (Pike)	Bloch
Arnold	Barton	Brown

Bulger	Killen	Rainer
Coleman (Marshall)	King	Ratray
Cooper	Kirby	Rice
Crum	Lawson	Rowe
Doyle (Clark)	Lovelady	Sample
Dudley	Malone	Sanders
Edwards	Mastin	Seale
Elrod	Moore	Sherrod
Foster	Parker	Smith (Lee)
Glover	Pearson	Thompson
Goodwyn	Peete	Turner
Gunter	Pitts (Perry)	Vann
Haley	Power	Weaver
Henley	Pratt	Williams
John	Price	Wolff
Jones	Pugh	

—56.

S. 567. To authorize incorporated towns and cities of Tuscaloosa county to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors, and to prohibit and punish the selling of liquors and intoxicating drinks in said county in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; ~~to further regulate the sale of liquors~~ in said county; and to repeal an act entitled an act to authorize all incorporated towns and cities in Tuscaloosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved on the 27th day of February, 1901; this act not being intended however to repeal or affect any existing law under which the sale of liquors in said county may hereafter be prohibited.

Was taken up. Mr. Foster offered the following amendment to the bill:

Amendment to S. B. 567:

Amend Senate bill No. 567, as follows, to-wit:

1. Erase from section six (6) the following sentence, to-wit: "Any person who may be injured by the failure of the dispenser to observe the provisions of this act, or of any rule, ordinance or regulation of his town or city in reference to his dispensary may sue said dispenser on his bond."

2. Erase section fifteen (15) of said bill and insert instead thereof, the following:

Section 15. The dispenser shall not sell liquors of any kind except those which he receives from the purchasing agent of his dispensary. He shall not sell on Sundays, or sell to minors or to persons of known intemperate habits. He shall not sell at any one time more than one pint of whiskey, brandy, gin, or ale, or of any two of these liquors, or of all of them together. But the dispenser may sell at one time to persons residing outside the corporate limits of both the city of Tuscaloosa and the town of Northport as much as one quart of whiskey, brandy, gin or ale, or of any two of them, or all of them together. But before making such sale the dispenser may require such applicant to sign a written statement that he lives outside the corporate limits of both said city and said town. The dispenser shall sell for cash only. He shall keep an accurate record of the amount of each day's sales. All books, papers, accounts and records of the dispenser shall at all times be open to the legislative body of his town or city and of every member thereof and of every citizen of the county. On the first day of each month each dispenser shall make to the legislative body of his town or city a complete statement of the assets and liabilities of his dispensary as they stood on the last day of the preceding month. Said report shall also state the average number of sales for each business day during the preceding month. Said report shall at once be published in a newspaper published in the dispenser's county. Such report shall be made on such forms and under such directions, rules and regulations as the legislative body may prescribe. In said report the dispenser shall give full and accurate information as to the condition, expenses, profits, losses

and status of his business. He shall give other and additional information, orally or in writing, whenever and as often as the legislative body of his town or city or any member of said body may require.

3. Erase section sixteen (16) of said bill and insert instead thereof, the following:

Section 16. If the dispenser or any of his assistants, servants or employees sells, hands, or delivers any liquors except those which the dispenser has received from the purchasing agent of his dispensary, or sells, hands, or delivers any liquor on Sunday or sells, hands, or delivers any liquor to minors or to persons of known intemperate habits, or sells, hands, or delivers at any one time more than one pint of whiskey, brandy, gin or ale, or of any two of these liquors or all of them together, except as is allowed in section fifteen (15) of this act, such dispenser, servant, or employee shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than two nor more than one hundred dollars (\$100.00). If the dispenser, or any of his assistants, servants or employees, sells, hands or delivers liquors of any kind to any person when he knows or has cause to believe that the dispenser, or any other officer, servant or employee of the dispensary has previously sold liquors to such person during that day, then the person so selling, handling or delivering such liquor shall be guilty of a misdemeanor, and on conviction, shall be ~~fin~~ fined not less than ten nor more than one hundred dollars. If the dispenser, or any of his assistants, servants or employees sells more than one quart of whiskey, brandy, gin, or ale, or of any two or these liquors, or of all of them together, to any person who resides outside of the corporate limits of both the city of Tuscaloosa, and the town of Northport, such dispenser, servant or employee shall be guilty of a misdemeanor, and, on conviction, shall be fined not less than ten nor more than one hundred dollars.

And the amendment was adopted.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Power
Alford	Haley	Pratt
Arnold	Hoffman	Price
Avery	Jenkins	Pugh
Ballard (Pike)	John	Rainer
Barton	Jones	Rattray
Benners	Killen	Rice
Bloch	King	Rowe
Brown	Kirby	Sample
Bulger	Lawson	Sanders
Cooper	Lindsey	Sanford
Crum	Lovelady	Seale
Doyle (Clark)	Malone	Smith (Lee)
Dudley	Maner	Thompson
Edwards	Mastin	Turner
Elrod	Moore	Vann
Foster	Parker	Weaver
Glover	Pearson	Wolff
Goodwyn	Peete	

—56.

And the bill:

S. 567. To authorize incorporated towns and cities of Tuscaloosa county to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors, and to prohibit and punish the selling of liquors and intoxicating drinks in said county in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; to further regulate the sale of liquors in said county; and to repeal an act entitled an act to authorize all incorporated towns and cities in Tuscaloosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved on the 27th day of February, 1901; this act not being

intended however to repeal or affect any existing law under which the sale of liquors in said county may hereafter be prohibited.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker

Altman

Arnold

Avery

Barton

Benners

Bloch

Brown

Bulger

Cooper

Crum

Doyle (Clark)

Dudley

Edwards

Elrod

Foster

Fuller

Glover

Gunter

Haley

Hoffman

Jenkins

John

Jones

Killen

King

Kirby

Lawson

Lovelady

Malone

Maner

Mastin

Moore

Parker

Pearson

Peete

Pitts (Dallas)

Pitts (Perry)

Power

Pratt

Price

Pugh

Rainer

Rattray

Rice

Rowe

Sample

Sanders

Seale

Sherrrod

Smith (Lee)

Thompson

Turner

Vann

Weaver

—56.

H. 1333. Providing for the distribution of any surplus in the State treasury at the close of any fiscal year to the several counties in the State to be used as a supplement to the public road funds,
Was taken up. Mr. Rice moved to table the bill, and the motion to table was lost.

Yeas, 22; nays, 40.

Yeas:

Messrs:—

Armstrong

Benners

Cannon

Foster

Glover

John

King

Lacy (Walker)

Long (Butler)

Lovelady
Maner
Moore
McDuffie
Parker

Pitts (Perry)
Power
Pugh
Rainer

Rowe
Rushton
Sample
Smith (Franklin)

—22.

Nays:

Messrs:—

Speaker

Arnold

Avery

Bloch

Brown

Carmichael (Clay)

Coleman (Marshall)

Cooper

Crum

Edwards

Fuller

Goodwyn

Gunter

Henley

Hoffman

Jenkins

Johnson

Jones

Kornegay

Lee (Barbour)

Lee (Etowah)

Lindsey

Long (Morgan)

Lyons

Mitchell

McCrary

McMillan

Pearson

Peete

Pitts (Dallas)

Powell (Bullock)

Price

Ratray

Rice

Sanders

Smith (Elmore)

Tunstall

Urquhart

Vann

White (Lamar)

—40.

Mr. Tunstall offered the following amendment to the bill: Amend by adding section 2:

“Sec. 2. The State treasurer shall distribute this fund equally between the several counties.”

And the amendment was adopted.

Yeas, 42; nays, 18.

Yeas:

Messrs:—

Speaker

Alford

Arnold

Avery

Benness

Bloch

Cannon

Carmichael (Clay)

Coleman (Marshall)

Crum

Doyle (Clark)

Doyle (Marengo)

Edwards

Fuller

Goodwyn

Henley

Johnson

Jones

Kornegay

Lacy (Dallas)

Long (Butler)

Long (Morgan)

Lyons

Mitchell

Moore

McCrary

McDuffie

Parker

Pearson

Peete

Power

Price

Pugh

Rainer
Rushton
Sanders.

Sherrod
Smith (Elmore)
Smith (Franklin)

Tunstall
Vann
White (Lamar)

—42.

Nays:

Messrs:—

Glover
Gunter
Hoffman
John
King
Lacy (Walker)

Lee (Etowah)
Lovelady
Maner
McMillan
Pitts (Dallas)
Pitts (Perry)

Powell (Bullock)
Ragsdale
Rattray
Rowe
Seale
Urquhart

—18.

And the bill:

H. 1333. Providing for the distribution of any surplus in the State treasury at the close of any fiscal year to the several counties in the State to be used as a supplement to the public road funds.

As amended, was read a third time, at length, and passed.

Yeas, 36; nays, 23.

Yeas:

Messrs:—

Alford
Armstrong
Arnold
Avery
Benners
Bloch
Cannon
Carmichael (Clay)
Coleman (Marshall)
Cooper
Crum
Doyle (Clark)

Doyle (Marengo)
Fuller
Goodwyn
Henley
Johnson
Jones
Kornegay
Lacy (Dallas)
Lacy (Walker)
Lee (Etowah)
Lindsey

Long (Morgan)
Lyons
Mitchell
McCrory
Parker
Pearson
Peete
Rice
Smith (Elmore)
Smith (Franklin)
Turner
Vann

—36.

Nays:

Messrs:—

Speaker
Glover
Gunter

John
Killen
Long (Butler)

Maner
Moore
McDuffie

McMillan	Ragsdale	Sanders
Pitts (Dallas)	Rainer	Seale
Powell (Bullock)	Rattray	Sherrod
Power	Rowe	Urquhart
Price	Sample	

—23.

Mr. Tunstall moved to reconsider the vote by which the bill passed, and then moved to table the motion to reconsider; and the motion to table prevailed.

H. 1392. To amend section 4715 of the Code of Alabama, 1896, as amended by an act approved February 21, 1899.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Power
Alford	Fenley	Pratt
Altman	Hoffman	Price
Arnold	Jenkins	Fugh
Avery	John	Rainer
Baltzell	Johnson	Rice
Barton	Jones	Rowe
Benners	King	Sample
Bloch	Kirby	Sanders
Brown	Lawson	Sanford
Bulger	Lindsey	Seale
Cannon	Lovelady	Sherrod
Cooper	Malone	Smith (Lee)
Crum	Maner	Tunstall
Elrod	Mastin	Turner
Foster	Moore	Vann
Fuller	Parker	Weaver
Glover	Pearson	Woolf
Gunter	Peete	

—56.

S. 496. To amend section 12 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, located in the city of

Huntsville, approved February, 1907, and to add section 13 1-2 thereto.

Was taken up. The question was upon the adoption of the substitute reported by the standing committee on Temperance, said substitute being as follows:

A BILL

To be entitled an act to amend an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, located in the city of Huntsville, approved February, 1907, by adding section 13 1-2 thereto, which restricts minors entering said dispensary:

Be it enacted by the Legislature of Alabama, That section 13 1-2 is hereby added to said bill which shall read as follows: It shall be unlawful for any minor to enter said dispensary unless in company with his parent or guardian, without the written order or consent of such parent or guardian to the dispenser; and that any minor violating the provisions hereof shall be guilty of a misdemeanor and on conviction shall be fined not less than ten nor more than fifty dollars. It shall be the duty of the dispenser to arrest forthwith any minor violating the provisions hereof.

And the substitute was adopted.

Yeas, 56; nays, 0.

Yeas:

Speaker	Elrod	Kirby
Altman	Foster	Lawson
Arnold	Fuller	Lovelady
Avery	Glover	Malone
Barton	Haley	Maner
Benners	Henley	Moore
Bloch	Jenkins	Parker
Brown	John	Pearson
Bulger	Johnson	Peete
Cooper	Jones	Pitts (Dallas)
Crum	Killen	Pitts (Perry)
Dudley	King	Powell (Bullock)

Powell (Covington)	Sanders	Tunstall
Ragsdale	Sanford	Turner
Rainer	Seale	Vann
Rattray	Sherrod	Weaver
Rice	Smith (Lee)	White (Lamar)
Rowe	Steagall	White (Perry)
Sample	Thompson	

—56.

And the bill:

S. 496. To amend section 12 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, located in the city of Huntsville, approved February, 1907, and to add section 13 1-2 thereto.

As amended by the substitute, was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Peete
Altman	Glover	Pitts (Dallas)
Arnold	Gunter	Pitts (Perry)
Avery	Haley	Fowell (Bullock)
Barton	Henley	Powell (Covington)
Benners	Jenkins	Sample
Bloch	John	Sanders
Brown	Johnson	Smith (Elmore)
Bulger	Kirby	Smith (Etowah)
Cannon	Lacy (Dallas)	Smith (Franklin)
Carmichael (Clay)	Lacy (Walker)	Smith (Lee)
Coleman (Marshall)	Lawson	Tunstall
Cooper	Lindsey	Turner
Cranford	Lovelady	Weaver
Crum	Malone	White (Lamar)
Doyle (Clark)	Mitchell	White (Perry)
Dudley	Moore	Williams
Edwards	Parker	Woolf
Elrod	Pearson	

—56.

ADJOURNMENT.

On motion of Mr. Long, of Butler, the House adjourned until 8:30 tomorrow morning.

FORTY-EIGHTH DAY.

House of Representatives,

Friday, August 2, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by the Rev. Mr. Malone of the House.

ROLL CALL.

On a call of the roll of the House the following members answered to their names:

Messrs:--

Speaker	Doyle (Clark)	King
Alford	Doyle (Marengo)	Kirby
Altman	Dudley	Kornegay
Arnold	Edwards	Lacy (Dallas)
Arrington	Elrod	Lacy (Walker)
Avery	Foster	Lancaster
Ballard (Autauga)	Fuller	Lawson
Ballard (Pike)	Glover	Lee (Barbour)
Baltzell	Goodwyn	Lee (Etowah)
Barton	Gunter	Lee (Houston)
Benners	Haley	Lindsey
Bloch	Henley	Long (Butler)
Brown	Hoffman	Long (Morgan)
Bulger	Hughston	Lovelady
Cannon	Jenkins	Lyons
Carmichael (Clay)	John	Malone
Coleman (Marshall)	Johnson	Maner
Cooper	Jones	Mastin
Crum	Killen	Middleton

Mitchell	Price	Smith (Etowah)
Moore	Pugh	Smith (Franklin)
McCrory	Ragsdale	Smith (Lee)
McDuffie	Rainer	Steagall
McMillan	Rattray	Thompson
Oliver	Rice	Tunstall
Parker	Rowe	Turner
Pearson	Hashten	Urquhart
Peete	Sample	Vann
Pitts (Dallas)	Sanders	Weaver
Pitts (Perry)	Sanford	White (Lamar)
Powell (Bullock)	Seale	White (Perry)
Powell (Covington)	Sherrod	Williams
Power	Smith (Elmore)	Woolf
Pratt		

—101.

A quorum was present.

JOURNAL.

The chairman of the standing committee on the Revision of the Journal made the following report:

Mr. Speaker:

Your committee on the Revision of the Journal beg leave to report as follows:

We have examined the journal for the forty-seventh day and find the same to be correct.

The report of the Committee was concurred in and the Journal for the 47th day was approved.

LEAVE OF ABSENCE.

Was granted to Messrs. Norville and Crawford for today.

REPORT OF RULES COMMITTEE.

Mr. John, from the Committee on Rules returned to the House the following resolutions with a favorable report as amended H. R. 328, 335, 336, and 338.

And the resolutions as amended were adopted.

The H. J. R. No. 337 was returned with a favorable report and was adopted.

H. J. R. 337. Resolved by the Legislature of Alabama, that the three servants who waited on the Joint Committee on the Code be paid twenty dollars each upon the order of the Chairman of the committee.

BILLS ON SECOND READING.

Mr. Tunstall, acting chairman of the Standing Committee on Local Legislation, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

S. 486. To further protect and promote the propagation of fish, and to protect private interests in ponds, pools, lakes, or other reservoirs or bodies of water containing fish.

S. 632. "To provide for the construction, repairing, working, making, maintaining, and protection of the public roads of Geneva county, and to provide for the levying of the tax for the same, and for punishing road defaulters, and prescribing the duties of the commissioners court with reference to said work, and for the punishment of violators of orders made by the commissioners court."

~~Mr. Lindsay, Chairman of the Standing Committee on Game, Fish and Forrestry Preservation, reported that said Committee in session had acted upon the following bill and ordered same returned to the House with a favorable report:~~

S. 633. To regulate the taxing of dogs in Madison county, Alabama, and for the protection of sheep, cattle, horses, swine and other live stock in said county; to provide penalties for its violation; to repeal all laws in conflict.

Mr. John, Chairman of the standing Committee on Judiciary reported that said Committee, in session had acted on the following bill and ordered the same returned to the House with a favorable report:

H. 1368. To repeal an act to create and establish a criminal court of record of Clark county, to be known and styled as the county court of Clark county, Alabama, approved March 13th, 1907, and to transfer all criminal cases therein pending, together with all dockets, papers and books relating to said court to the circuit court of Clark county, Alabama.

The above and foregoing bills were severally read a second time and placed on the calendar.

BILL ON THIRD READING.

H. 68. To make it a misdemeanor to charge or take or accept as much or more than two per cent per month for the loan or forbearance of money, the fees charged for negotiating or obtaining loan considered as part of interest.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary said substitute being as follows:

A BILL

To be entitled an act to define extortionate usury and to punish the same.

Be it enacted by the Legislature of Alabama:

Section 1. Any person who for himself, or as the agent, attorney, or employee of another, or of a corporation, who agrees to take, or receives a higher rate of interest than twenty four dollars, upon one hundred dollars, for one year, and at that rate for a greater or less sum, or longer or shorter time, is guilty of a misdemeanor and must, on conviction, be fined not less than one hundred dollars and sentenced to hard labor, for not less than one nor more than six months; and the contract of lending is void, and the borrower who has pledged any valuable thing, as security for the repayment of the loan, may recover the possession of such thing in any court of competent jurisdiction; and all contracts

in the form of bills of sale of personalty given to secure such a loan, where the borrower retains possession of the things, are void.

Provided this act shall not apply to banks or bankers doing a regular banking business.

And the substitute was adopted.

Yeas, 55; nays, 5.

Yeas:

Messrs:—

Speaker	Hoffman	Powell (Bullock)
Alford	Hughston	Pratt
Altman	John	Price
Armstrong	Killen	Pugh
Arnold	King	Ragsdale
Avery	Lancaster	Rice
Ballard (Autauga)	Lawson	Sample
Barton	Lindsey	Sanders
Benners	Long (Morgan)	Sanford
Bloch	Malone	Sherrod
Brown	Mastin	Smith (Franklin)
Bulger	Mitchell	Smith (Lee)
Carmichael (Clay)	Moore	Tunstall
Cooper	McDuffie	Turner
Crum	McMillan	Urquhart
Doyle (Clark)	Parker	White (Lamar)
Edwards	Pearson	White (Ferry)
Foster	Pitts (Dallas)	Woolf
Glover		

55

Nays:

Messrs

Cannon	Goodwyn	Rowe
Fuller	Pitts (Perry)	

—5.

And the bill:

H. 68. To make it a misdemeanor to charge or take or accept as much or more than two per cent per month for the loan or forbearance of money, the fees charged for negotiating or obtaining loan considered as part of interest.

As amended by the substitute was read a third time at length and passed.

Yeas, 42; nays, 19.

Yeas:

Messrs:—

Speaker	Glover	Ragsdale
Altman	Hoffman	Rice
Arnold	Hughston	Sample
Avery	John	Sanders
Ballard (Autauga)	Lacy (Walker)	Sanford
Benners	Lawson	Sherrod
Bloch	Long (Morgan)	Smith (Franklin)
Brown	Mitchell	Smith (Lee)
Bulger	Moore	Steagall
Carmichael (Clay)	McMillan	Tunstall
Crum	Parker	Turner
Doyle (Marengo)	Pitts (Dallas)	Urquhart
Edwards	Pitts (Perry)	White (Perry)
Foster	Pugh	Woolf

—42.

Nays:

Messrs:—

Alford	McDuffie	Seale
Cannon	Powell (Bullock)	Smith (Elmore)
Fuller	Pratt	Smith (Etowah)
Goodwyn	Rainer	Vann
Killen	Rattray	White (Lamar)
Kirby	Rowe	Williams
McCrory		

—19.

Mr. Hoffman moved to reconsider the vote by which the bill H. 68 was passed and then moved to table the motion to reconsider and the motion to table prevailed.

H. 573. To require the president of the convict board to give bond in the sum of twenty thousand dollars, to be approved by the governor and filed and recorded in the Secretary of State.

Was read a third time at length and passed.

Yeas, 65; nays, 0.

Yeas:

Messrs:—

Speaker	Hughston	Power
Alford	John	Pratt
Altman	Killen	Price
Arnold	King	Pugh
Ballard (Autauga)	Kirby	Rice
Baltzell	Lacy (Walker)	Rowe
Benners	Lawson	Rushton
Bloch	Lee (Barbour)	Sample
Brown	Lee (Etowah)	Sanders
Bulger	Lindsey	Sanford
Cannon	Lovelady	Seale
Carmichael (Clay)	Malone	Smith (Franklin)
Coleman (Marshall)	Maner	Smith (Lee)
Cooper	Mastin	Tunstall
Crum	Mitchell	Turner
Doyle (Marengo)	Moore	Urquhart
Edwards	McDuffie	Vann
Elrod	McMillan	White (Lamar)
Foster	Parker	White (Perry)
Fuller	Pearson	Williams
Gunter	Pitts (Dallas)	Woolf
Hoffman	Powell (Bullock)	

Yeas:

—65.

H. 354. Requiring the tax collectors and tax assessors of the several counties of the State of Alabama, to keep their office at the court houses of their respective counties and to regulate the times for keeping said offices open.

Was taken up.

Mr. Mitchell asked unanimous consent to withdraw the amendment reported by the Standing Committee on Ways and Means, consent was granted and the amendment was withdrawn.

And, the bill:

H. 354. Requiring the tax collectors and tax assessors of the several counties of the State of Alabama, to

keep their offices at the court houses of their respective counties and to regulate the times for keeping said offices open.

Was read a third time at length and passed.

Yeas, 47; nays, 7.

Messrs:—

Speaker	Hughston	Pratt
Alford	John	Price
Aitman	Killen	Pugh
Arnold	King	Rice
Baltzell	Lacy (Walker)	Sanders
Benners	Lancaster	Sanford
Bloch	Lawson	Seale
Bulger	Lee (Barbour)	Smith (Elmore)
Cannon	Lindsey	Smith (Franklin)
Cooper	Long (Morgan)	Stengall
Doyle (Clark)	Lovelady	Urquhart
Doyle (Marengo)	Mitchell	Vann
Edwards	McCrory	White (Lamar)
Gunter	McMillan	Williams
Henley	Pearson	Woolf
Hoffman	Powell (Bullock)	

—47.

Nays:

Messrs:—

Avery	Moore	Sample
Ballard (Autauga)	Parker	Sherrod
Crum		

—7.

H. 1391. To prescribe the rules of evidence upon applications of confederate soldiers or sailors, resident citizens of Alabama, and their widows for pensions under the pension laws of Alabama as to proving the fact of service in the confederate army, or in the state troops of Alabama and that they did not desert, and to provide for a special session of the State and county boards of examiners during the year 1907, for the examination of applicants, and to repeal all laws and parts of laws in conflict with this act

Was read a third time at length, and passed

Yeas 70; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Pratt
Alford	Gunter	Price
Altman	Henley	Pugh
Armstrong	John	Ragsdale
Arnold	Johnson	Rainer
Avery	Jones	Ratray
Ballard (Autauga)	Killen	Rice
Baltzell	King	Rowe
Barton	Kirby	Rushton
Benners	Lacy (Dallas)	Sanders
Bloch	Lawson	Seale
Brown	Lee (Barbour)	Sherrod
Cannon	Lindsey	Smith (Elmore)
Carmichael (Clay)	Maner	Smith (Etowah)
Coleman (Marshall)	Moore	Smith (Franklin)
Cooper	McCrory	Smith (Lee)
Crum	McDuffie	Tunstall
Doyle (Clark)	Parker	Turner
Doyle (Marengo)	Pearson	Urquhart
Edwards	Pitts (Dallas)	Vann
Elrod	Pitts (Perry)	White (Lamar)
Foster	Powell (Bullock)	White (Perry)
Fuller	Power	Williams
Glover		

—70.

H. 280 To furnish blanks to justices of the peace, notaries public and ex-officio justices of the peace, and constables, necessary for their business in their courts and to make provisions for the payment thereof.

Was read a third time at length, and passed.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Speaker	Avery	Bulger
Alford	Ballard (Autauga)	Cannon
Altman	Baltzell	Carmichael (Clay)
Armstrong	Benners	Cooper
Arnold	Brown	Crum

Doyle (Clark)	Lancaster	Rattray
Doyle (Marengo)	Lawson	Rice
Edwards	Lee (Barbour)	Rushton
Elrod	Lovelady	Sample
Fuller	Maner	Sanders
Glover	Mastin	Seale.
Gunter	Mitchell	Sherrod
Hoffman	Moore	Smith (Elmore)
Hughston	Parker	Smith (Franklin)
Jenkins	Pearson	Smith (Lee)
John	Pitts (Dallas)	Urquhart
Johnson	Powell (Bullock)	Vann
Jones	Pratt	White (Lamar)
Killen	Pugh	Williams
Kirby	Rainer	

—59.

H. 1156. To provide for proper sanitary conditions in hotels and restaurants in this State.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Public Health, said amendment being as follows:

AMENDMENT TO H. 1156.

Amend section 1 by adding after the word, "hotel" in the 3rd line the words, inns, or public boarding houses, and by striking out the words, "plan is one dollar or more, and upon the American plan two dollars or more," and by adding at the end of the section the words, by another person.

Amend section 2 by striking out the words, "such houses as are described in section 1 of this act," and inserting in lieu thereof the words, hotels, inns, or public boarding houses.

Amend section 3 by striking out the words, "of such hotels as are described in section 1 of this act," and by

inserting in lieu thereof the words, hotels, inns, and public boarding houses.

Amend section 4 by striking out the words, "such hotels as are described in section 1 of this act," and by inserting in lieu thereof the following words: "hotels, inns, and public boarding houses; also, by striking out all after the word "bugs" and by inserting in lieu thereof the following words" or other insects, or to rats, mice, or other animals.

And the amendment was adopted.

Yeas, 51; nays, 4.

Yeas:

Messrs:—

Speaker	Doyle (Marengo)	McCrory
Alford	Edwards	McMillan
Altman	Elrod	Powell (Bullock)
Armstrong	Foster	Pratt
Arnold	Glover	Pugh
Ballard (Autauga)	Gunter	Ragsdale
Ballard (Pike)	Hoffman	Rainer
Baltzell	Hughston	Rice
Benners	John	Rushton
Bloch	Kirby	Sample
Bulger	Lawson	Sherrod
Cannon	Lee (Barbour)	Smith (Elmore)
Carmichael (Clay)	Lee (Etowah)	Smith (Franklin)
Coleman (Marshall)	Lindsey	Steagall
Cranford	Malone	Tunstall
Crum	Mitchell	Vann
Doyle (Clark)	Moore	White (Lamar)

—51.

Nays:

Messrs:—

Avery	Long (Butler)	White (Perry)
Jones		

—4.

Mr. Long, of Butler, moved to table the bill and pending amendment, and the motion to table was lost.

And, the bill:

H. 1156. To provide for proper sanitary conditions in hotels and restaurants in this State.

As amended.

Was read a third time at length, and lost.

Yeas, 29; nays 36..

Yeas:

Messrs:—

Armstrong	Hughston	Maner
Arnold	John	Mastin
Baltzell	King	Pitts (Dallas)
Benners	Kirby	Pratt
Cooper	Lawson	Pugn
Doyle (Clark)	Lee (Etowah)	Ragsdale
Goodwyn	Long (Morgan)	Sample
Gunter	Lovelady	Sanders
Henley	Lyons	Vann
Hoffman	Malone	

—29.

Nays:

Messrs:—

Speaker	Killen	Price
Altman	Lancaster	Rainer
Avery	Lee (Barbour)	Rushton
Ballard (Autauga)	Long (Butler)	Seale
Ballard (Pike)	Moore	Sherrod
Cannon	McCrary	Smith (Elmore)
Carmichael (Clay)	McMillan	Smith (Franklin)
Coleman (Marshall)	Parker	Urquhart
Edwards	Pearson	Weaver
Fuller	Pitts (Perry)	White (Lamar)
Glover	Powell (Bullock)	White (Perry)
Jones	Power	Wolf

Yeas:

—36.

H. 1281. To propose certain amendments to the constitution of the State of Alabama, pertaining to education.

Was taken up.

Mr. Ballard, of Autauga, offered the following amendment to the bill:

"Amend section 11 by adding the following: Provided that no district shall vote this special tax until the county in which said district is located shall have voted to levy the tax of one per cent as now provided by law.

And the amendment was adopted.

Yeas, 33; nays, 31.

Messrs:—

Speaker	Hoffman	Power
Altman	King	Pratt
Ballard (Autauga)	Kornegay	Price
Ballard (Pike)	Lancaster	Pugh
Brown	Lawson	Rattray
Bulger	Lovelady	Rowe
Cannon	Malone	Sanders
Carmichael (Clay)	McCrary	Sanford
Elrod	McDuffie	Seale
Fuller	Pearson	Smith (Lee)
Goodwyn	Peete	Vann

—33.

Nays:

Messrs:—

Arnold	Lee (Barbour)	Rushton
Avery	Lee (Etowah)	Sample
Benners	Long (Butler)	Sherrod
Coleman (Marshall)	Long (Morgan)	Smith (Franklin)
Foster	Mastin	Turner
Glover	Moore	Urquhart
Hughston	McMillan	White (Lamar)
Jenkins	Pitts (Perry)	White (Perry)
John	Powell (Bullock)	Williams
Johnson	Rainer	Woolf
Killen		

—31.

And, the bill:

H. 1281. To propose certain amendments to the constitution of the State of Alabama, pertaining to education.

As amended,

Was read a third time, at length and lost.

Yeas, 56; nays, 26.

Yeas:

Messrs:—

Speaker	Hoffman	Pitts (Perry)
Armstrong	Hughston	Pratt
Ballard (Autauga)	Jenkins	Price
Ballard (Pike)	John	Pugh
Benners	Jones	Ragsdale
Bloch	King	Rowe
Brown	Lancaster	Sample
Bulger	Lee (Etowah)	Sanders
Cannon	Lindsey	Sanford
Coleman (Marshall)	Long (Morgan)	Seale
Cooper	Lovelady	Sherrod
Crum	Middleton	Smith (Elmore)
Doyle (Marengo)	Mitchell	Smith (Franklin)
Elrod	McCrary	Urquhart
Fuller	McDuffie	Vann
Glover	McMillan	Weaver
Goodwyn	Parker	White (Lamar)
Gunter	Pearson	Williams
Henley	Pitts (Dallas)	

—56.

Nays:

Messrs:—

Alford	Killen	Powell (Bullock)
Altman	Kirby	Power
Arnold	Kornegay	Rainer
Avery	Lawson	Rushton
Baltzell	Lee (Barbour)	Smith (Lee)
Carmichael (Clay)	Long (Butler)	Turner
Dudley	Malone	White (Perry)
Edwards	Mastin	Woolf
Foster	Moore	

—26.

H. 1224. To fix the time for the holding of the examinations for teachers in the public schools of the State of Alabama.

Was read a third time, at length and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	McMillan
Alford	Glover	Parker
Altman	Goodwyn	Peete
Armstrong	Henley	Pitts (Dallas)
Avery	Hoffman	Pitts (Perry)
Ballard (Autauga)	Jenkins	Power
Ballard (Pike)	John	Pratt
Baltzell	Johnson	Price
Benners	Jones	Pugh
Bloch	King	Rainer
Brown	Lancaster	Rowe
Bulger	Lawson	Sample
Cannon	Lindsey	Sanders
Carmichael (Clay)	Long (Morgan)	Seale
Cooper	Lovelsdy	Sherrod
Crum	Malone	Smith (Etowah)
Doyle (Marengo)	Mastin	Smith (Franklin)
Dudley	Middleton	Smith (Lee)
Edwards	Mitchell	Weaver
Elrod	Moore	Williams
Foster	McDuffie	

—62.

H. 1249. To regulate the fees of the sheriffs for feeding prisoners confined in jail under charge of conviction of any indictable offense, and to provide the payment therefor.

~~Was taken up.~~

Mr. Sanford moved to table the bill, and the motion to table was lost.

And, the bill:

H. 1249. To regulate the fees of the sheriffs for feeding prisoners confined in jail under charge of conviction of any indictable offense, and to provide the payment therefor.

Was read a third time, at length and lost.

Yeas, 40; nays, 42.

Yeas:**Messrs:—**

Speaker	Hughston	Peete
Armstrong	Jones	Pitts (Dallas)
Benners	Kirby	Pratt
Bloch	Lancaster	Price
Bulger	Long (Butler)	Sample
Coleman (Marshall)	Long (Morgan)	Seale
Cooper	Mastin	Sherrod
Crum	Middleton	Smith (Elmore)
Dudley	Mitchell	Tunstall
Foster	McCrory	Weaver
Fuller	McMillan	Vann
Goodwyn	Parker	Weaver
Henley	Pearson	Williams
Hoffman		

—40.

Nays:**Messrs:—**

Altman	King	Rainer
Avery	Lawson	Ratray
Ballard (Autauga)	Lindsey	Rowe
Ballard (Pike)	Lovelady	Rushton
Cannon	Lyons	Sanders
Carmichael (Clay)	Malone	Sanford
Doyle (Marengo)	Maner	Smith (Etowah)
Edwards	Moore	Smith (Franklin)
Elrod	McDuffie	Smith (Lee)
Glover	Pitts (Perry)	Steagall
Gunter	Powell (Bullock)	Urquhart
Jenkins	Power	White (Lamar)
John	Pugh	White (Perry)
Killen	Ragsdale	Woelf

—42.

H. 1324. To amend section 2904 of the Code of Alabama as now amended.

Was read a third time, at length and passed.

Yeas, 47; nays, 11.

Yeas:**Messrs:—**

Speaker	Fuller	Mitchell
Alford	Glover	Moore
Altman	Goodwyn	McMillan
Armstrong	Gunter	Peete
Arnold	Henley	Power
Avery	Jenkins	Ragsdale
Ballard (Autauga)	John	Rattray
Baltzell	Johnson	Sanders
Benners	Jones	Sanford
Bloch	King	Smith (Elmore)
Brown	Lawson	Smith (Franklin)
Bulger	Lee (Barbour)	Tunstall
Carmichael (Clay)	Long (Butler)	Turner
Cooper	Lovelady	Urquhart
Doyle (Marengo)	Malone	Woolf
Edwards	Mastin	

—47.

Nays:**Messrs:—**

Cannon	Hughston	Pratt
Crum	Kirby	Pugh
Elrod	Lindsey	Sherrod
Foster	Powell (Bullock)	

—11.

H. 851. Regulating or fixing weights under which flour, corn meal, and grits shall be packed in Alabama, to protect purchasers and dealers from fraudulent short weights, and to prohibit fraudulent packing and sale of flour, corn meal and grits, To provide for variations or inaccuracies in weights and fix a penalty for violation of this act.

Was read a third time, at length and passed.

Yeas, 59; nays, 3.

Yeas:**Messrs:—**

Speaker	Armstrong	Ballard (Pike)
Alford	Arnold	Baltzell
Altman	Avery	Benners

Bloch	Johnson	Powell (Bullock)
Brown	Jones	Price
Bulger	Lacy (Walker)	Pugh
Cannon	Lancaster	Rainer
Coleman (Marshall)	Lawson	Rattray
Cooper	Lindsey	Rushton
Crum	Long (Butler)	Sample
Doyle (Marengo)	Lyons	Sanders
Edwards	Malone	Smith (Elmore)
Fuller	Maner	Steagall
Glover	Mitchell	Tunstall
Goodwyn	Moore	Turner
Gunter	McMillan	Weaver
Henley	Parker	White (Lamar)
Hoffman	Pearson	White (Perry)
Hughston	Peete	Woolf
John	Pitts (Dallas)	

—59.

Nays: Ballard of Autauga, Sherrod, and Williams—3.

H. 1246. To amend sections 4106 and 4107 of the code.

Was read a third time, at length and passed.

Yeas, 53; nays, 2.

Yeas:

Messrs:—

Alford	Johnson	Parker
Altman	Jones	Pearson
Armstrong	King	Peete
Baltzell	Kirby	Pitts (Dallas)
Benners	Kornegay	Pitts (Perry)
Bloch	Lancaster	Power
Brown	Lawson	Pratt
Bulger	Lee (Barbour)	Pugh
Cooper	Long (Butler)	Rushton
Edwards	Malone	Sanders
Goodwyn	Maner	Sanford
Gunter	Mitchell	Sherrod
Henley	Moore	Smith (Elmore)
Hoffman	McCrory	Smith (Franklin)
John	McMillan	Tunstall

Turner
Urquhart
Vann

Weaver
White (Lamar)
White (Perry)

Williams
Woolf

—53.

Nays: Mr. Speaker and Mr. Killen—2.

H. 638. To prohibit the issuance and acceptance of free transportation upon the street railroads within this State, and to provide for the punishment thereof.

Was taken up.

Mr. Weaver moved to table the bill, and the motion to table was lost.

Mr. Pitts, of Dallas, offered the following amendment to the bill: "Amend by adding the following to section one the words: Provided that this act shall not apply to officers and employees of the company, and their families or the police and sanitary officers of any municipality, mail carriers and members of regularly organized fire companies.

Mr. Bulger offered the following amendment to the amendment:

By adding after the amendment the words "and proprietors and editors of newspapers.

On motion of Mr. Urquhart the amendment offered by Mr. Bulger was laid upon the table.

And the amendment offered by Mr. Pitts of Dallas, was adopted.

Yeas 58; nays, 3.

Yeas:

Messrs:—

Speaker	Cooper	Jenkins
Alford	Crum	John
Altman	Doyle (Marengo)	Johnson
Armstrong	Edwards	Jones
Avery	Fuller	King
Ballard (Autauga)	Glover	Kirby
Benners	Goodwyn	Kornegay
Bloch	Hailey	Lacy (Walker)
Brown	Henley	Lawson
Bulger	Hoffman	Lee (Barbour)
Carmichael (Clay)	Hughston	Lindsey

Long (Butler)	Parker	Rushton
Lovelady	Pearson	Sample
Lyons	Peete	Smith (Elmore)
Malone	Pitts (Dallas)	Steagall
Mastin	Pitts (Perry)	Turner
Mitchell	Powell (Bullock)	Urquhart
Moore	Power	Weaver
McCrory	Pugh	Woolf
McMillan		

—58.

Nays: Messrs. Cannon, Coleman of Marshall, Rainer—3.

And the bill:

H. 638. To prohibit the issuance and acceptance of free transportation upon the street railroads within this State, and to provide for the punishment thereof.

As amended.

Was read a third time, at length and passed.

Yeas, 52; nays, 8.

Yeas:

Messrs:—

Speaker	Hoffman	Pitts (Dallas)
Altman	Jenkins	Pitts (Perry)
Armstrong	John	Powell (Bullock)
Arnold	Jones	Power
Ballard (Autauga)	Killen	Pugh
Bulger	King	Rice
Cannon	Kernegay	Rushton
Coleman (Marshall)	Lawson	Sample
Cooper	Long (Butler)	Sanders
Crum	Long (Morgan)	Sanford
Doyle (Clark)	Lovelady	Smith (Elmore)
Doyle (Marengo)	Lyons	Smith (Franklin)
Edwards	Maner	Turner
Fuller	Mastin	Weaver
Glover	Moore	White (Lamar)
Goodwyn	McMillan	White (Perry)
Gunte	Pearson	Woolf
Henley		

—52.

Nays:

Messrs:—

Alford

Benners

Brown

Carmichael (Clay)

McDuffie

Parker

Pratt

Ragsdale

—8.

Mr. Goodwyn moved to reconsider the vote by which the bill was passed, and under the rules, the motion to reconsider would go over until tomorrow.

Mr. John moved that the Rules be suspended in order that the motion to reconsider might be considered.

And the motion to suspend the Rules was lost for the like of a quorum voting.

Mr. Maner demanded a call of the House, for the purpose of ascertaining if a quorum was present.

And on a call of the roll of the House the following members answered to their names:

Yeas:

Messrs:—

Speaker

Altman

Armstrong

Arnold

Avery

Ballard (Autauga)

Benners

Bloch

Brown

Bulger

Cannon

Carmichael (Clay)

Coleman (Marshall)

Cooper

Crum

Doyle (Clark)

Doyle (Marengo)

Edwards

Foster

Fuller

Glover

Goodwyn

Gunter

Hoffman

Hughston

Jenkins

John

Jones

King

Kirby

Kornegay

Lacy (Walker)

Lancaster

Lawson

Long (Butler)

Lovelady

Lyons

Malone

Maner

Mastin

Mitchell

Moore

McCrorry

McDuffie

McMillan

Parker

Pearson

Peele

Pitts (Dallas)

Pitts (Perry)

Power

Pugh

Rattray

Rice

Rowe

Rushton

Sample

Sanders

Sanford

Seale	Smith (Lee)	Weaver
Sherrod	Tunstall	White (Lamar)
Smith (Elmore)	Turner	Williams
Smith (Franklin)	Urquhart	Woolf

—72.

And the motion to suspend the Rules, for the purpose of considering Mr. Goodwyn's motion to reconsider prevailed.

Yeas, 63; nays, 12.

Yeas:

Messrs:—

Speaker	Jones	Powell (Bullock)
Altman	Killen	Power
Armstrong	Kirby	Pratt
Arnold	Kornegay	Pugh
Ballard (Autauga)	Lacy (Walker)	Ragsdale
Baltzell	Lawson	Rice
Bloch	Lindsey	Rowe
Bulger	Long (Butler)	Rushton
Cannon	Long (Morgan)	Sample
Coleman (Marshall)	Lovelady	Sanders
Cooper	Malone	Sanford
Crum	Maner	Seale
Doyle (Clark)	Mastin	Sherrod
Doyle (Marengo)	Mitchell	Smith (Elmore)
Edwards	Moore	Smith (Franklin)
Fuller	McCrary	Smith (Lee)
Glover	McMillan	Turner
Hoffman	Pearson	Urquhart
Hughston	Peete	Weaver
Jenkins	Pitts (Dallas)	White (Lamar)
John	Pitts (Perry)	Woolf

—63.

Nays:

Messrs:—

Alford	Elrod	Lyons
Benners	Goodwyn	McDuffie
Brown	Gunter	Parker
Carmichael (Clay)	Johnson	Williams

—12.

On motion of Mr. Maner the motion of Mr. Goodwyn to reconsider the vote by which the bill H. 638 was passed, was laid upon the table.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has originated and passed :

S. 637. For the payment of the expenses of the Legislature and executive and judicial officers of the State in attending the funeral of the late Senator Pettus.

And sends same forthwith to the House without engrossment.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Senate bill 637, the title to which is set out in the above and foregoing Senate message was read one time and referred to the standing committee on appropriations.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has concurred in the House amendments to the following Senate bills :

S. 571. For the relief of Jno. S. Bonner, a disabled ex-Confederate soldier of Pickens county, Alabama.

S. 567. To authorize incorporated towns and cities of Tuscaloosa county to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors, and to prohibit and punish the selling of liquors and intoxicating drinks in said county in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; to further regulate the sale of liquors in said county; and to repeal an act entitled an act to authorize all incorporated towns and cities in Tusca-

loosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved on the 27th day of February, 1901; this act not being intended however to repeal or affect any existing law under which the sale of liquors in said county may hereafter be prohibited.

S. 488. To increase the salary of the solicitor of the county of Etowah, as now fixed by law, and to fix the same, and to provide for its payment.

S. 506. To amend section 1372 of the Code of 1896. of the State of Alabama.

And the Senate has non-concurred in the House amendments to

S. 496. To amend section 12 of an act entitled an act to establish, maintain, regulate and make efficient a dispensary for Madison county, located in the city of Huntsville, approved February, 1907, and to add section 13 1-2 thereto.

And request a committee of conference.

Committee on the part of the Senate.

Messrs. Spragins, and Moody.

And the Senate has concurred in, and adopted, the amendments proposed by the governor to.

H. 562. To regulate the practice of pharmacy and the sale of poisons in the cities and towns of more than nine hundred inhabitants in the State of Alabama, and fixing the penalty for violations thereof, and to repeal chapter 89 of the civil code of Alabama, 1896, and section 5335 of the criminal code of Alabama, 1896, and all other laws in conflict with the provisions of this act.

Yeas, 14; nays, 6.

Which was a majority of the whole number elected to the Senate,

And,

Has passed the following House bills:

H. 558. To regulate the employment of child labor in certain mills, factories and manufacturing establishments in this State, and to provide for the inspection of the rooms, places and premises wherein they are work-

ed and to adequately punish violations of this act.

H. 1186. To provide for the publication of State papers, official records and of historical materials of the State of Alabama .

And returns same herewith to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Kirby the House acceded to the request of the Senate, for a committee of Conference on the disagreement of the two Houses, to the bill, 496. Committee on part of the House: Messrs. Rowe and McMillan.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 390. To create "The Alabama Monument Commission."

H. 1232. To make further provisions for defraying the expenses of the Legislature.

H. 513. To fix the salary of the clerk of the adjutant general and to make appropriations for same.

H. 469. To amend section 12 of an act, to grant a new charter to the Alabama Girls' Industrial school, approved March 4, 1901, and to confer additional powers on the trustees of the school.

H. 894. To prohibit any person who holds the office of justice of the peace, or any other office where authority is given to issue warrants of arrest, from acting as attorney in cases where the complaint against the defendant was made before such person, and the warrant of arrest was issued by him, in his official capacity.

H. 1210. To repeal section 1 of an act to increase the criminal jurisdiction of justices of the peace in the counties of Limestone, Marion, Greene and Marshall, approved February 12, 1879, so far as Marion county is concerned; and to provide that justices of the peace and notaries public and ex-officio justices of the peace

of Marion county shall have and exercise the jurisdiction given by the Code and general laws of the State.

H. 223. To repeal an act entitled an act to increase the criminal jurisdiction of justices of the peace and notaries public having like powers in Marion county and other counties, approved February 8, 1877, so far as the same relates to Marion county.

H. 1081. To authorize and empower the commissioners court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across the Tallapoosa river at Tallassee, Alabama, for the use of said bridge by passengers and for vehicles, and for traffic, and for whatsoever may pass over the same, and to provide for the enforcement of such rates of toll, and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

H. 366. To provide for the establishment, maintenance and regulation of a dispensary for the sale of spirituous, vinous, malt liquors, ciders and other intoxicants in and for Fayette county, Alabama.

H. 1179. To provide for the celebration of the one hundredth anniversary of the battle of Tohopeka or Horseshoe Bend, in 1814.

H. 575. For the relief of John S. Stephenson.

H. 1184. To amend an act entitled an act to prevent the running at large of stock in certain portions of Elmore county; approved February 18th, 1891.

H. 185. For the relief of Maj. David M. Scott, of the Ala. Nat. Guard. Whereas, Maj. David M. Scott of the Alabama National Guard received permanent personal injuries on the 22nd day of July, 1905, while in the discharge of duty as an officer of the National Guard, under orders from the governor of the State; and whereas said injuries have cost him in surgical and medical fees, and in lost time, the sum of eleven hundred and twenty-nine and forty-five one-hundredth dollars, therefore,

H. 239. To repeal an act entitled an act to repeal section 1017 and section 1018 of the revised code of 1896, in so far as the same relates to Calhoun, Mobile, Etowah and Marion counties, approved March 1, 1901, so far as the same relates to Marion county.

H. 682. For the relief of the school trustees of township four (4), range eight (8) west of Lawrence county Alabama.

H. 1169. To establish an inferior court in precinct No. 10 in Morgan county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, and to define the jurisdiction and powers of said court and the judge thereof.

H. 1273. To provide for the transfer of all cases charging the commission of a misdemeanor, presented by indictment by the grand jury of the circuit court of Morgan county, Ala., to the Morgan county law and equity court of Morgan county, Ala., and to provide for the trial and proceedings in said causes.

H. 1213. To amend section five of an act approved February 22nd, 1907 entitled, "An act to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, or malt liquors, intoxicating beverages, bitters or proprietary medicines in Lamar county, Alabama, and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any other person than himself, any spirituous, vinous, or malt liquors, intoxicating beverages, or intoxicating bitters, or intoxicating proprietary medicines from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving of orders for spirituous, vinous, or malt liquors, intoxicating beverages, intoxicating bitters, or intoxicating proprietary medicines, in said county, and to prohibit the giving of orders for spirituous, vinous, or malt liquors, intoxicating beverages, or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous, or malt liquors, intoxicating beverages, or intoxicating bitters, or intoxicating proprietary

medicines by any person in said county over any telegraph or telephone line, and to prohibit the receiving or sending by any telephone or telegraph company in said county of any order for spirituous, vinous or malt liquors, intoxicating beverages, intoxicating bitters, or intoxicating proprietary medicines to any point within this State, and to provide penalties for all such prohibited acts, and to repeal all laws in conflict herewith."

H. 1008. To establish the law and equity court of Mobile.

H. 1291. For the relief of W. C. Evans, a confederate pensioner of Pickens county, Alabama. Whereas W. C. Evans, a needy confederate soldier of Pickens county, Alabama, was on the pension roll of said county, and entitled to participate in the distribution of the fund for the relief of needy confederate soldiers under the act approved February 10th, 1899, and whereas, during the year 1905, the State Board of Pension examiners, through error had the name of said W. C. Evans stricken from said roll as dead, thereby depriving him of the amount due him under distribution of said fund made on October 1st, 1905, and on October 1st, 1906.

H. 786. To authorize the town of Brockton in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

H. 1066. To vacate and annul the dedication of the following highways and yards of highways situated in Jefferson county, Alabama, to-wit: All of Sadler avenue; the south half of Lucian avenue from the centre of Emma street to centre of Telula street; all of Lucian avenue from the centre of Telula street to eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block 25 and north of centre of Valley Creek canal; all of Telula street lying south of centre of Lucian avenue and north of centre of Valley Creek canal; the east half of Telula street lying between a continuation of the south line of the alley running easterly and westerly through block twenty-five and centre of Lucian avenue; all of Emma street lying south of a continuation of the south line of the alley running

easterly and westerly through block twenty-eight and north of the centre of Valley Creek canal; the east half of Emma street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-eight and the centre of Lucian avenue; and all the alleys in or through blocks twenty-nine, thirty, and thirty-one; all being located according to the survey, map and plans of Owenton, a map of which is recorded in map book two at page twenty-six in the office of the probate judge of Jefferson county, Alabama.

H. 1314. To abolish and close the dispensary at Headland, Henry county, Alabama.

H. 1356. For the relief of John Milford, an ex-Confederate soldier, being a resident of Chilton county, Alabama.

H. 1298. To regulate dispensaries now operated, or which may be operated by municipalities in the county of Geneva; to prescribe and fix a license on each dispensary in addition to that already imposed under the general law; to provide for the payment of such license fee to the judge of probate of Geneva county, and to give the court of county commissioners power to disburse the fund created by such licenses, at its discretion, either in building, repairing or furnishing school houses and buildings exclusively for rural districts of Geneva county, or for repairing the public roads of Geneva county, or for supplementing pensions to pensioners of the first class, or for all said purposes, and to provide a penalty for the failure to pay such license.

H. 1321. To repeal sections 4, 5, 6, and 8 of an act entitled an act to "better provide for working the public roads in the counties of Baldwin, Escambia, and Monroe approved February 9th, 1901, in so far as the same applies to the county of Monroe and to amend sections twelve of said act and further regulate the workings of the public roads in Monroe county.

H. 869. To authorize the town of Enterprise in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

H. 902. To provide for the collection and disbursement of proceeds appropriated by law to the public schools of Coffee county from the dispensaries of said county.

H. 854. To prohibit the sale, barter or exchange, giving away, lending, delivering, or otherwise disposing of any spirituous, vinous or malt liquors, intoxicating beverages, bitters, beers, "hop jack," or intoxicating proprietary medicine of any kind, except upon the written prescription of a practicing physician, within one and one-half miles of "Bethel" Methodist Episcopal Church South, situated at Dolcito, in precinct (11) eleven, Jefferson county, Alabama.

H. 1019. To fix the salary of the judge of the city court of Talladega county and to provide for payment of the same.

H. 1106. To make it unlawful for any person to sell, give away, or otherwise dispose of spirituous, vinous or malt liquors within three miles of the school-house known as the Powell school-house in beat six (6) of Crenshaw county, Alabama, and to punish violations of the same.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended as therein shown and as thus amended has passed House bill:

H. 1075. To amend section 809 of the Code of 1896.

And sends same herewith to the House,

And has passed the following House bills:

H. 906. To appropriate a sum of money to pay for the stationery and stationery supplies used by the Legislature of Alabama during this present term.

H. 1107. To appropriate twenty-five hundred dollars (\$2,500.00) for the incidental and contingent expenses to be disbursed on the order of the governor.

And returns same herewith to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Arnold, the House concurred in the Senate amendment to the bill H. 1075, said Senate amendment being as follows:

Substitute for House Bill 1075.

A BILL

To be entitled an act to amend section 809 of the Code of 1896.

Section 1. Be it enacted by the Legislature of Alabama, That section 809 of the Code of 1896 be and the same is hereby amended so as to read as follows.

809. Person in possession of and claiming lands may ~~file bill to clear title.~~—When any person is in peaceable possession of lands, whether actual or constructive, claiming to own the same, in his own right or as personal representative or guardian and his title thereto, or to any part thereof, is denied or disputed, or any other person claims or is reputed to own the same, or any part thereof, or any interest therein, or to hold any lien or incumbrance thereon, and no suit is pending to enforce or test the validity of such title, claim or incumbrance, such person or his personal representative or guardian so in possession may bring and maintain a suit in equity ~~to settle the title to such lands, and to clear up all doubts or disputes concerning the same.~~

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker

Alford

Altman

Arnold

Avery

Baltzell

Barton

Benners

Bloch

Brown

Bulger

Cannon

Cooper

Crum

Dudley

Edwards

Elrod

Foster

Glover

Goodwyn

Gunter

Henley

Hoffman

Jenkins

John

Jones

Killen

King	Parker	Sanders
Kirby	Peete	Sanford
Lacy (Dallas)	Power	Seale
Lacy (Walker)	Pratt	Sherrod
Lindsey	Price	Steagall
Long (Butler)	Pugh	Thompson
Lovelady	Rainer	Turner
Malone	Rice	Vann
Moore	Rowe	Weaver
McMillan	Sample	Woelf

—58.

H. 856. To fix the compensation of the assistant clerk in the office of the commissioner of agriculture and industries and make appropriations therefor.

Was read a third time, at length and passed.

Yeas, 35; nays, 27.

Yeas:

Messrs:—

Speaker	Kornegay	Price
Arnold	Lawson	Rice
Ballard (Autauga)	Lee (Etowah)	Sanford
Benners	Long (Butler)	Smith (Elmore)
Brown	Long (Morgan)	Tunstall
Cooper	Maner	Turner
Crum	Mitchell	Urquhart
Edwards	McCrory	Vann
Foster	McDuffie	Weaver
Fuller	Pearson	Williams
Goodwyn	Peete	Woelf
Gunter	Powell (Bullock)	

—35.

Nays:

Messrs:—

Armstrong	Doyle (Clark)	King
Avery	Doyle (Marengo)	Lovelady
Baltzell	Elrod	Malone
Cannon	John	Mastin
Carmichael (Clay)	Johnson	Moore
Coleman (Marshall)	Killen	McMillan

Parker
Pugh
Ragsdale

Ratray
Rushton
Sample

Sherrod
Smith (Franklin)
White (Lamar)

—27.

H. 928. To prohibit the sale of hop-jack, hop-tea, hop-weiss, hop-ale, malt tonic, or other beverages, the product of maltose or gencose, at any place where the product of maltose or gencose, at any place where the sale of spirituous, vinous or malt liquors are prohibited by law.

Was read a third time, at length and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Dudley	Maner
Alford	Edwards	Mastin
Altman	Elrod	McMillan
Armstrong	Foster	Parker
Arnold	Fuller	Pearson
Arrington	Glover	Feete
Avery	Goodwyn	Power
Baltzell	Gunter	Pratt
Barton	Henley	Price
Benners	Hoffman	Rainer
Bloch	Hughston	Ratray
Brown	John	Rice
Bulger	Jones	Rowe
Cannon	King	Sanford
Carmichael (Clay)	Kirby	Seale
Cooper	Lawson	Vann
Cram	Lovelady	Weaver
Doyle (Clark)	Lyons	Woolf
Doyle (Marengo)	Malone	

H. 368. To provide for the examination of applicants for second grade teachers certificate on their knowledge of the school laws of the State and to provide for the publication and distribution of the new school laws

among the trustees and public school teachers of the State.

Was read a third time, at length and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Edwards	Mastin
Alford	Elrod	McMillan
Altman	Foster	Parker
Armstrong	Fuller	Pearson
Arnold	Glover	Peete
Arrington	Goodwyn	Power
Avery	Gunter	Pratt
Baltzell	Henley	Price
Barton	Hoffman	Rainer
Benners	Hughston	Rattray
Bloch	John	Rice
Brown	Jones	Rowe
Bulger	King	Sanford
Cannon	Kirby	Seale
Carmichael (Clay)	Lawson	Wann
Cooper	Lovelady	Weaver
Crum	Lyons	White (Lamar)
Doyle (Clark)	Malone	Williams
Doyle (Marengo)	Maner	Wolf
Dudley		

58.

H. 937. To amend Sec. 5 of an act entitled an act "To establish a home for indigent Confederate veterans residing in the State of Alabama who are unable to make a livelihood on account of physical disability or old age, and to make appropriations for improving and maintaining the same," approved Oct. 6th, 1903.

Was read a third time at length and passed.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Armstrong	Avery
Alford	Arnold	Baltzell
Altman	Arrington	Barton

Benners	Hughstor	Pitts (Dallas)
Bloch	Jenkins	Power
Brown	John	Pratt
Bulger	Jones	Price
Burney	Killen	Pugh
Cannon	King	Rice
Cooper	Kirby	Rowe
Cranford	Lacy (Walker)	Sanford
Crum	Lyons	Seale
Dudley	Malone	Sherrod
Foster	Maner	Steagall
Fuller	Moore	Thompson
Glover	McMillan	Tunstall
Goodwyn	Parker	Turner
Gunter	Pearson	Vann
Henley	Peete	Weaver
Hoffman		

—58.

H. 1338. To amend section 932 of the Code of 1896.
 Was read a third time, at length and passed.
 Yeas, 58; nays, 0.

Yeas:

Messrs:—

Speaker	Cooper	Lyons
Alford	Cranford	Maner
Altman	Crum	Middleton
Arrington	Dudley	Mitchell
Arnold	Edwards	Messrs
Arrington	Elrod	McCrary
Avery	Foster	McDuffie
Baltzell	Fuller	
Barton	Glover	McMillan
Benners	Gunter	Parker
Bloch	Henley	Peete
Brown	Hoffman	Power
Bulger	Hughston	Pugh
Cannon	John	Ralner
Carmichael (Clay)	Jones	Rice
Coleman (Marshall)	King	Rowe

Sample
Sanders
Seale
Sherrod

Steagall
Thompson
Tunstall
Turner

Urquhart
Vann
Weaver

—58.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following bill:

S. 551. To submit to the qualified electors of the State at the general election to be held on the first Tuesday after the first Monday in November 1908, for their consideration an amendment to section 93 of article IV of the constitution so as to provide that the State may under appropriate laws cause the net proceeds from the State convict fund to be applied to the construction, repair and maintenance of public roads for the State and the Legislature may also make additional appropriations for that purpose.

And sends the same to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Senate bill, the title to which is set out in the above and foregoing message from the Senate was read one time and referred to an appropriate standing committee, as follows:

Public Roads and Highways, S. 551.

Mr. Ballard, of Autauga, moved that when the House adjourn at 1 o'clock that it be to meet again at 3 p. m.

And the motion prevailed.

ADJOURNMENT.

The hour of one o'clock having arrived, the House adjourned until 3 p. m.

AFTERNOON SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll of the House the following members answered to their names:

Messrs:—

Speaker

Alford

Altman

Armstrong

Arnold

Arrington

Avery

Ballard (Autauga)

Ballard (Pike)

Baltzell

Barton

Benners

Bloch

Brown

Bulger

Cannon

Carmichael (Clay)

Coleman (Marshall)

Cooper

Crum

Doyle (Clark)

Doyle (Marengo)

Dudley

Edwards

Elrod

Foster

Fuller

Glover

Goodwyn

Gunter

Henley

Hoffman

Hughston

Jenkins

John

Johnson

Jones

Killen

King

Kirby

Kornegay

Lacy (Dallas)

Lacy (Walker)

Lancaster

Lawson

Lee (Barbour)

Lee (Etowah)

Lee (Houston)

Lindsey

Long (Butler)

Long (Morgan)

Lovelady

Lyons

Malone

Maner

Martin

Middleton

Mitchell

Moore

McCrory

McDuffie

McMillan

Parker

Pearson

Peete

Pitts (Dallas)

Pitts (Perry)

Powell (Bullock)

Power

Pratt

Price

Pugh

Ragsdale

Rainer

Lattray

Rice

Rowe

Rushton

Sample

Sanders

Sanford

Seale

Sherrod

Smith (Elmore)

Smith (Etowah)

Smith (Franklin)

Smith (Lee)

Steagall

Tunstall

Turner

Urquhart

Vann

Weaver

White (Lamar)

White (Perry)

Williams

Woolf

A quorum was present.

REPORT OF RULES COMMITTEE.

Mr. John, from the Committee on Rules returned to the House with a favorable report the following resolution:

H. R. 339. Rules Committee.

Resolved that Rule 18 be amended so as to read as follows:

18. When a vote has passed, except on the previous question, or on motion to lay on the table, or to take from the table, it shall be in order for any member who voted with the majority to move for a reconsideration thereof on the same day or within one hour after reading the Journal on the succeeding day and such motion, shall be forthwith considered, unless by a majority vote the same be fixed for consideration at another time; and when a motion for a reconsideration is decided that decision shall not be reconsidered and no question be twice reconsidered; provided, however, that a motion to reconsider a vote upon any incidental or subsidiary question shall not remove the main subject under consideration from the House, but shall be considered at the time when it is made.

And the resolution No. 339 was adopted by a unanimous vote of the House.

BILLS ON SECOND READING.

Mr. John Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

S. 600. To make an appropriation for the erection of monuments commemorating the heroic deeds of Alabama's Sons, to be expended by The Alabama Monument Commission, with the approval of the Governor.

S. 613. To further direct the expenditure of the money covered by the appropriation heretofore made for the Alabama Industrial School for white boys.

S. 629. To amend an act entitled "an act to establish a board of revenue for Jefferson county, and for the

abolishment of the court of county commissioners of said county."

Mr. Pitts, of Dallas, chairman of the Standing Committee on Revision of Laws, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

S. 589. To amend sections 1 and 3 of an act entitled an act "To prohibit the sale of adulterated cotton seed meal as fertilizer, to have the same analyzed and a guaranteed analysis printed on tags and tags attached to the bags containing the same, and in case of sales in bulk to have such analysis set forth in the contract of sale, and providing penalties and punishment for violations of the provisions of this act. Approved March 2, 1907.

S. 447. To fix and provide for the compensation of performances of ex-officio services of the sheriff of Dallas county, Alabama, including the empaneling of grand juries and services in regard to elections and all other public services for which no other compensation is provided.

The above and foregoing bills were severally read a second time, and placed on the calendar.

ADVERSE CALENDAR.

Mr. John, Chairman of the Standing Committee on Judiciary, reported that said committee in session had acted upon the following bill, and ordered same returned to the House with an adverse report:

S. 454. To further regulate and fix the time when persons are liable for the payment of poll taxes.

RESOLUTIONS.

The following resolutions were introduced and referred to the Committee on Rules:

By Mr. John:

H. R. 340. Resolved that S. 600, the confederate monument appropriation bill, be made a paramount, continuing order for Tuesday Aug. 6th, 1907, after

By Mr. John.

H. R. 341. Resolved that Senate 321 to amend section 3700 of the Code as amended by Act of Feb, 12th, 1903, (Deaf, Dumb and Blind School) be made a paramount continuing order for Aug. 6th, 1907, after

UNFINISHED BUSINESS.

The House proceeded to the consideration of the unfinished business which was the bill,

H. 46. Regulating the sale of food in the State of Alabama and providing penalties for the violation thereof.

And, the bill:

H. 46. As amended by the substitute was read a third time at length and lost.

Yeas, 26; nays, 35.

Yeas:

Messrs:—

Speaker	Doyle (Marengo)	Peete
Altman	Foster	Pitts (Perry)
Arnold	Hoffman	Power
Ballard (Autauga)	John	Price
Ballard (Pike)	Jones	Ragsdale
Benners	Lovelady	Urquhart
Bloch	Maner	White (Lamar)
Brown	Mitchell	White (Perry)
Bulger	Parker	

—26.

Nays:

Messrs:—

Alford	Kirby	Rattray
Avery	Lacy (Walker)	Rice
Cannon	Lancaster	Rowe
Carmichael (Clay)	Lawson	Rushton
Coleman (Marshall)	Lyons	Sanders
Cooper	Moore	Sanford
Doyle (Marengo)	McCrory	Smith (Franklin)
Edwards	McDuffie	Smith (Lee)
Fuller	McMillan	Tunstall
Henley	Powell (Bullock)	Weaver
Johnson	Rainer	Woolf
Killen		

—35.

BILLS ON THIRD READING.

S. 441. To amend an act entitled an act "to prohibit, regulate and restrict the sale or other disposition of intoxicating liquors, drinks or beverages within the State of Alabama by providing for elections in the various counties of the State to determine whether the sale or other disposition of such intoxicating liquors, drinks or beverages shall be so prohibited, regulated and restricted."

Was read a third time, at length and passed.

Yeas, 35; nays, 29.

Yeas:

Messrs:—

Speaker	John	Pearson
Altman	Johnson	Power
Arnold	Jones	Praff
Baltzell	Killen	Price
Benners	King	Ragsdale
Brown	Lawson	Rowe
Bulger	Long (Morgan)	Sanford
Cannon	Malone	Sherrod
Carmichael (Clay)	Maner	Smith (Franklin)
Elrod	Mitchell	Stecgall
Foster	Moore	Tunstall
Henley	McMillan	

—35.

Nays:

Messrs:—

Alford	Jenkins	Pitts (Perry)
Bloch	Kornegay	Powell (Bullock)
Cooper	Lacy (Dallas)	Rainer
Doyle (Marengo)	Lancaster	Rattray
Edwards	Lee (Houston)	Sanders
Fuller	Long (Butler)	Weaver
Glover	Lyons	White (Perry)
Goodwyn	Mastin	Williams
Gunter	McDuffie	Woolf
Hoffman	Parker	

—29.

PAIRS ANNOUNCED.

The following pairs were announced: Mr. Crum stated that he was paired with Mr. Coleman of Lowndes, if he were here he would vote no and he (Mr. Crum) would vote yea.

Mr. Hughston stated that he was paired with Mr. Oliver, if he were here he would vote no and he (Mr. Hughston) would vote yea.

Mr. Lacey of Walker, announced that he was paired with Mr. Lovelady, that if Mr. Lovelady were here he would vote yea, and he (Mr. Lacy, of Walker,) would vote nay.

Mr. Rice announced that he was paired with Mr. Pitts of Dallas, if he were here he would vote nay and he (Mr. Rice) would vote yea..

Mr. White, of Lamar, announced that he was paired with Mr. Oliver, if he were here he would vote no, and he (Mr. White, of Lamar), would vote yea.

Mr. Peete announced that he was paired with Mr. Crawford, if he were here he would vote no and he (Mr. Peete) would vote yea.

H. 903. To ratify, legalize and confirm all sales and conveyances heretofore made by electric light and power companies, water companies and street railway companies of all of their property and franchises to any corporation authorized by its charter, certificate of incorporation, or declaration of incorporation, to acquire, own or operate such properties and franchises, where said sales and conveyances have been made pursuant to and with the consent of all stockholders of such selling corporation or corporations; and requiring the purchasing corporation to fulfill all of the obligations, contracts and duties of the said selling corporation or corporations.

Was read a third time, at length and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Hoffman	Loete
Altman	John	Power
Avery	Johnson	Pratt
Ballard (Autauga)	Killen	Ragsdale
Ballard (Pike)	King	Rowe
Baltzell	Kirby	Rushton
Benners	Kornegay	Sample
Bloch	Lacy (Dallas)	Sanders
Brown	Lancaster	Sanford
Carmichael (Clay)	Lawson	Sherrod
Cooper	Lee (Houston)	Smith (Franklin)
Crum	Maner	Smith (Lee)
Doyle (Marengo)	Mastin	Tunstall
Elrod	Mitchell	Urquhart
Foster	Moore	Weaver
Fuller	McCrory	White (Lamar)
Glover	McMillan	Williams
Goodwyn	Pearson	Woolf
Gunter		

—55.

H. 1397. To amend "an act to make appropriations for the ordinary expenses for the executive, legislative, and judicial departments of the State, for the interest on the public debt and for public schools."

Was read a third time, at length and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Coleman (Marshall)	Henley
Alford	Cooper	Hoffman
Armstrong	Doyle (Clark)	Hughston
Avery	Doyle (Marengo)	John
Ballard (Autauga)	Edwards	Jones
Ballard (Pike)	Elrod	Killen
Barton	Fuller	Kirby
Bloch	Glover	Kornegay
Bulger	Goodwyn	Lacy (Dallas)
Carmichael (Clay)	Gunter	Lacy (Walker)

Lancaster	Pearson	Rushton
Lawson	Peete	Sample
Long (Butler)	Power	Sanders
Lyons	Price	Sanford
Maner	Pugh	Seale
Mitchell	Ragsdale	Sherrrod
Moore	Ratray	Smith (Elmore)
McMillan	Rice	Smith (Franklin)
Parker	Rowe	Tunstall

—57.

H. 801. To amend an act to amend section 4451 of Code of 1896, approved March 5, 1901. Relates to appointment of State chaplains.

Was read a third time, at length and passed.

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Maner
Altman	Glover	Mitchell
Armstrong	Gunter	Moore
Arrington	Henley	McCrory
Avery	Hoffman	McMillan
Ballard (Autauga)	Hughston	Parker
Ballard (Pike)	Jenkins	Pearson
Baltzell	John	Peete
Benners	Johnson	Pitts (Dallas)
Bloch	Jones	Powell (Bullock)
Brown	Killen	Power
Bulger	King	Pratt
Carmichael (Clay)	Kirby	Ragsdale
Coleman (Lowndes)	Kornegay	Rainer
Cooper	Lacy (Dallas)	Ratray
Crum	Lancaster	Rowe
Doyle (Clark)	Lawson	Seale
Doyle (Marengo)	Long (Butler)	Smith (Elmore)
Edwards	Lovelady	Smith (Franklin)
Elrod	Lyons	Tunstall

—60.

H. 1200. To amend an act entitled an act, "to provide for the establishment of a bureau to collect, compile, and publish cotton statistics, and to prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof; to require ginners and others to make reports thereto; and to provide penalties for the violation of the provisions of this act." Approved March 5th, 1907.

Was read a third time, at length and lost.

Yeas, 28; nays, 36.

Yeas:

Messrs:—

Speaker	Jenkins	Maner
Armstrong	John	Moore
Renner	Jones	Powell (Bullock)
Bulger	Kirby	Rowe
Coleman (Marshall)	Kornegay	Rushton
Elrod	Lancaster	Seale
Goodwyn	Long (Butler)	Sherrod
Gunter	Long (Morgan)	Smith (Franklin)
Henley	Lovelady	Urquhart
Hoffman		

—28.

Nays:

Messrs:—

Altman	Foster	Pugh
Arnold	Fuller	Rattray
Avery	Hughston	Rice
Ballard (Autauga)	Johnson	Sample
Ballard (Pike)	Killen	Sanders
Baltzell	Lacy (Walker)	Smith (Elmore)
Brown	Parker	Smith (Lee)
Carmichael (Clay)	Pearson	Steagall
Cooper	Peete	Tunstall
Crum	Pitts (Dallas)	Vann
Doyle (Marengo)	Pitts (Perry)	White (Lamar)
Edwards	Price	White (Perry)

—36.

H. 576. To provide for the incorporation of mutual aid, benefit and industrial companies or associations.

Was read a third time, at length and passed.

Yeas, 51; nays, 5.

Yeas:

Messrs:—

Speaker	Gunter	Parker
Altman	Henley	Pearson
Armstrong	Hoffman	Pitts (Dallas)
Arnold	Hughston	Powell (Bullock)
Ballard (Autauga)	Jenkins	Power
Ballard (Pike)	John	Pratt
Benners	Johnson	Pugh
Bulger	Jones	Ragsdale
Carmichael (Clay)	King	Rattray
Cooper	Kirby	Rowe
Crum	Kornegay	Rushton
Doyle (Clark)	Lacy (Dallas)	Sanders
Doyle (Marengo)	Lacy (Walker)	Smith (Elmore)
Edwards	Lee (Houston)	Smith (Franklin)
Foster	Malone	Tunstall
Glover	Maner	Urquhart
Goodwyn	McDuffie	Weaver

—51.

Nays:

Messrs:—

Crum	Mitchell	White (Perry)
Elrod	Moore	

—5.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your Committee on Enrolled Bills have examined the following House bills and beg leave to report the same correctly enrolled:

H. 1293. To allow the selling, or otherwise lawfully disposing of lager beer by the proprietor, or manager, of the Park hotel to be erected at Montrose in Baldwin county.

H. 868. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, or other intoxicating drinks, or beverages, within five miles of the Corona Methodist Church in Corona in Walker county, Alabama.

H. 854. To prohibit the sale barter or exchange, giving away, lending, delivering or otherwise disposing of any spirituous, vinous, or malt liquors, intoxicating beverages, bitters, beers, "hop jack", or intoxicating proprietary medicine of any kind, except upon the written prescription of a practicing physician, within one and a half miles of "Bethel" Methodist Episcopal Church South, situated at Dolcito in Precinct (11) Eleven, Jefferson county, Alabama.

H. 1196. To amend section thirteen of an act to establish, maintain and regulate a dispensary in the town of Marion, Perry county, Alabama, for the sale of spirituous or vinous liquors, malt liquors, wines, ciders, or other intoxicating liquors and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors and for other purposes, approved February 28, 1901.

H. 1179. To provide for the celebration of the one-hundredth anniversary of the battle of Tohopeka or Horseshoe Bend in 1814.

H. 1232. To make further provisions for defraying the expenses of the Legislature.

H. 924. To divide the county of Hale into four commissioners districts and to provide for the election of a commissioner for each district.

H. 390 To create "The Alabama Monument Commission."

H. 923. To provide that all confederate soldiers, sailors and their widows, who are now drawing a pension and who are over the age of eighty years, shall be entitled to and receive a pension of the first class.

H. 1104. For the relief of Mary Marler, Mary J. Simpler, widows of confederate soldiers, and A. Campbell, a confederate soldier, being residents of Crenshaw county, Alabama.

H. 575. For the relief of John S. Stephenson.

H. 938. To alter or re-arrange the boundary lines of the city of Bessemer Jefferson county, Alabama.

H. 682. For the relief of the school trustees of township four (4), range eight (8) west, of Lawrence county, Alabama.

H. 185. For the relief of Maj. David M. Scott, of the Alabama National Guard.

H. 1186. To provide for the publication of State papers, official records and historical materials of the State of Alabama.

H. 562. To regulate the practice of pharmacy and the sale of poisons in the cities and towns of more than nine hundred inhabitants in the State of Alabama, and fixing the penalty for violations thereof, and to repeal chapter 89 of the civil code of Alabama, 1896, and section 5335 of the criminal code of Alabama 1896, and all other laws in conflict with the provisions of this act.

H. 1273. To provide for the transfer of all cases charging the commission of a misdemeanor presented by indictment by the grand jury of the circuit court of Morgan county, Ala., and to provide for the trial and proceedings in said causes.

H. 1081. To authorize and empower the commissioners court of Tallapoosa county to fix and regulate the tolls to be charged by the owners of the bridge across the Tallapoosa river at Tallassee, Alabama, for the use of said bridge by passengers and for vehicles, and for traffic, and for whatsoever may pass over the same, and to provide for the enforcement of such rates of toll, and to prescribe penalties for collecting, demanding or receiving tolls in excess of said rates fixed by said court of county commissioners.

J. S. Williams, Chairman.

SIGNING BILLS.

The Speaker of the House in the presence of the House immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the

bills, the titles to which are set out in the above and foregoing report from the standing committee on Enrolled Bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution:

S. J. R. 130. Resolved by the Senate the House concurring, that the governor is hereby requested to return to the Senate, Senate bill 421, (Relates to roads of Bibb county, two bills passed by mistake.)

And sends same herewith to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The House concurred in the Senate Joint Resolution No. 130.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 1369. For the relief of A. J. Brooks, of Jefferson county, Alabama.

H. 1376. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors, or other intoxicating drinks, in Henry county, and to provide punishment of violators of said act.

H. 1390. To provide for the appointment of an official stenographer for the second judicial circuit of Alabama, and to prescribe his duties and to fix his compensation.

H. 952. To alter and re-arrange the boundary lines and corporate limits of the town of Elyton, Jefferson county, Alabama.

H. 1085. To amend an act to establish a State Live Stock Sanitary Board and the office of State Veterinarian in order to further protect live stock from conta-

gious and infectious diseases and provide for eradicating and excluding such diseases from Alabama, approved March 12th, 1907.

H. 1341. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, intoxicating bitters, cordials, or other intoxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist church or Ivey Creek public school-house, all in Crenshaw county, Alabama, to provide the time when it shall be in force and to fix the punishment for the violation thereof.

H. 1377. To provide for the construction, repairing, working and maintaining of the public roads of Henry county, Alabama, and to provide for the levying a special property and a per capita tax for same, and for the punishment of defaulters.

H. 1012. For the relief of Mary A. Galaway, widow of an ex-Confederate soldier, being a resident of Shelby county, Alabama. Whereas, Mary A Galaway has long been on the pension rolls for Shelby, Alabama, but for the year 1905 her name was dropped from said roll through mistake.

H. 1234. To authorize and direct the court of county commissioners of Crenshaw county to pay for advertising the notice and substance of local bills introduced in the Legislature for said county, out of any money in the treasury not otherwise appropriated, when the bill applies to the entire county and ordered published by the representative of said county and this act shall apply to and include the notice and substance of bills advertised at and during the present session of the Legislature.

And has amended as therein shown and as amended has passed.

H. 273. To fix the ex-officio fees of the clerks of the circuit court in the several counties of the State of Alabama, and to provide for the payment of same.

And herewith returns the same to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Arnold the House concurred in the Senate amendment, to the Bill H. 273, said amendment being as follows:

Amend by adding at the end of section 3 of said bill the following: "Such statement must contain a detailed report of all services rendered, showing the charge made for each item and if the court of county commissioners or other court of like jurisdiction find such statement correct and the charges made reasonable, they shall draw a warrant for same. Should the charges seem unreasonable they shall deduct such amount as they may deem just and proper.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Pitts (Dallas)
Armstrong	Hoffman	Powell (Bullock)
Arnold	Jenkins	Power
Avery	John	Pratt
Ballard (Autauga)	Johnson	Pugh
Benners	Kornegay	Rattray
Bulger	Lacy (Walker)	Rice
Cannon	Lawson	Rushton
Carmichael (Clay)	Lee (Houston)	Sample
Cranford	Lindsey	Sanders
Crum	Malone	Sanford
Doyle (Clark)	Maner	Sherrod
Doyle (Marengo)	Mastin	Smith (Elmore)
Edwards	Moore	Tunstall
Elrod	McCrory	Turner
Foster	McDuffie	Weaver
Fuller	Parker	White (Lamar)
Goodwyn	Peete	White (Perry)

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following bills:

S. 635. To amend sections 426, 427, 431, 434 and 456 of the code of 1896.

And sends same forthwith to the House without engrossment.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Senate bill, the title to which is set out in the above and foregoing Senate message was read one time and referred to appropriate standing committees as follows:

Judiciary, S. 635.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bill:

S. 546. To amend sections 1, 2, 4, 5, 6, 8, 9, 13, 14 and 15 of an act entitled "an act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphate, fertilizer materials and chemicals in the State of Alabama," approved March 3, 1903.

And sends same herewith to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Senate bill the title to which is set out in the above and foregoing Senate message was read one time and referred to an appropriate standing committee as follows:

Agriculture, S. 546.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has originated and adopted the following Joint Resolution :

S. J. R. 132. Whereas the new code as adopted by the Legislature of Alabama provides, That the open season on doves shall begin August the first in each year and closes March the first the year following :

Therefore, be it resolved by the Senate, the House concurring, that the law prohibiting the shooting of doves until November be and the same is hereby suspended until the first day of November, 1907 ; provided that all persons hunting or shooting doves shall have issue to ~~them~~ a hunter's license as now provided by law.

And has originated and passed the following Senate bill :

S. 634. To provide for an auditing of the dispensaries of Bibb county, Alabama, and to further regulate said dispensaries.

And sends same herewith to the House without engrossment, with notice and proof thereto attached and herewith exhibited as follows :

Notice is hereby given that a bill will be introduced at the ensuing July session of the Legislature of Alabama providing for the selection of two auditors or inspectors of dispensaries for Bibb county, Alabama, and specifying their duties and providing for their compensation and also to further regulate any dispensaries now existing or which may hereafter be established in said County.

The State of Alabama }
Bibb County. }

Before me, R. L. Avery, Clerk of the circuit court of Bibb county, Alabama, personally appeared L. H. Nunnally, who being by me duly sworn says on oath, that he is publisher of the Centreville Press a newspaper published in Bibb county, Ala., and that the above and foregoing notice was published in the Centreville Press

for four consecutive weeks. The first insertion being on the 13th day of June, 1907, and ending on the 4th day of July, 1907.

L. H. Nunnelly,
Publisher of Centreville Press.

Sworn to and subscribed before me this 9th day of July, 1907.

R. L. Avery,
Clerk of Circuit Court.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Senate Joint Resolution No. 132 and S. bill 634, the titles to which are set out in the above and foregoing Senate message were read one time and referred to appropriate standing committees as follows:

Game, Fish and Forrestry Preservation, S. J. R. 132.
Temperance, S. 634.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 970. To prohibit the sale, giving away, or otherwise disposing of beer, whiskey, or other intoxicating drinks or beverages, within one mile of the Barkersville Baptist church, at Pritchard, in Mobile county, Alabama, and to provide a penalty for violation of this act.

H. 565. To confer upon foreign municipal corporations of adjoining States the power and authority to acquire, own, take and dispose of property in the State of Alabama for the purpose of procuring water in this State for a municipal water supply; and also to confer upon such municipalities the power to contract to furnish a supply of water to any town, city or municipality of this State.

H. 1372. To fix the time when the tax collector and tax assessor of Walker county shall begin the round and to visit the several precincts of said county for the purpose of assessing and collecting taxes.

H. 1379. To repeal an act to regulate the salaries of teachers in public schools outside of any incorporated towns in Walker county, Alabama, approved March 5th, 1901.

Has amended as therein shown and as thus amended has passed House bills:

H. 1303. To amend sub-division of section 1377 of the civil code, relating to compensation of sheriffs for ex-officio services.

H. 34. To provide means for the extension of the corporate limits of cities having twenty-five thousand inhabitants or over, and exempting from city taxation property brought within the corporate limits for certain periods of time, and fixing the rights, powers, duties, liabilities, and jurisdiction of the city over the territory brought into the corporate limits, and the rights of the inhabitants thereof, including rights relating to public schools, and to provide for the apportionment between a city and county of the road and bridge tax collected by the county on property within the city, and the expenditure of the fund by the city.

H. 421. Providing for the survey and analysis and classification of soils of the State.

H. 35. To provide for the annexation and merger of any city or town into a contiguous city or town.

And herewith returns same to the House.

And,

Has passed the following House bills:

H. 515. To abolish the county court of Morgan county, Alabama, and to annul its jurisdiction, which court is provided for in and by article 3, chapter 142, of the code of Alabama, and to provide for the transfer of all the causes of every kind and description pending in said court at the time of the approval of this act, together with all papers, records, processes and everything pertaining to such causes, pending in said court, by the clerk thereof, to the Morgan county law and equity court.

H. 1345. To amend sections 5 and 7 of an act entitled "An act to provide and establish a stock law for Lamar

and Fayette counties," so far as the same relates to Brown's precinct, No. 4 in Lamar county.

H. 1252. To fix the time of holding the circuit court in the county of Lawrence in the eighth judicial circuit of Alabama.

H. 235. To regulate hunting upon, or shooting in or across the enclosed field, pasture or other enclosure owned by or in possession of another, in Walker county, Alabama.

H. 1209. To give to certified transcripts of validly executed instruments not properly acknowledged or proved, but that have been of record for twenty years, the same force and effect as transcripts of like instruments duly acknowledged and recorded.

H. 1347. To allow the circuit clerk of Lamar county an assistant clerk.

And herewith returns the same to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. John, the House concurred in the Senate amendment to the bill H. 1303, said Senate amendment being as follows:

Amend section one of said bill by striking out the words "seven hundred and fifty dollars" where same occur in said section and inserting in lieu thereof the words "Five Hundred Dollars." Further amend section one of said bill as amended by striking out the words "ten thousand dollars" where same occur in said section as amended and inserting in lieu thereof the word "seven thousand five hundred dollars net." Amend the amendment by adding after the word net the following "after all expenses have been paid by him."

Yeas, 59; nays, 2.

Yeas:

Messrs:—

Speaker	Avery	Bulger
Alford	Ballard (Autauga)	Cannon
Altman	Baltzell	Carmichael (Clay)
Arnold	Benners	Coleman (Marshall)

Cooper	Lancaster	Rattray
Crum	Lawson	Rowe
Doyle (Clark)	Lindsey	Rushton
Doyle (Marengo)	Malone	Sanders
Edwards	Maner	Sanford
Elrod	Mastin	Sherrod
Foster	Mitchell	Smith (Elmore)
Glover	Parker	Smith (Franklin)
Goodwyn	Pearson	Smith (Lee)
Gunter	Peete	Tunstall
Hoffman	Pitts (Dallas)	Turner
Hughston	Powell (Bullock)	Urquhart
Jenkins	Power	Vann
Johnson	Pratt	White (Lamar)
Kornegay	Pugh	Williams
Lacy (Walker)	Rainer	

—59.

Nays: Messrs. Killen, Sample—2.

On motion of Mr. John, the House concurred in the Senate amendment to the bill H. 34, said Senate amendment being as follows:

To amend House bill number 34 as follows:

Strike out that portion of section 3 beginning with the commencement thereof down to sub-division 1 and inserting in lieu thereof, the following:

"Section 3. All territory brought within the corporate limits of a city under the provisions thereof, and all property having a situs within such territory, shall be exempt from city taxation or the payment of taxes to the city for the period of not less than ten nor more than fifteen years from the time when such territory is brought within the corporate limits of the city, which period of exemption shall be fixed in the resolution passed by the council or governing body of the city authorized under the provisions of section 2 hereafter, except as is provided in sub-division (1) and (2) of this section.

Also amend sub-division of 2 of section 3 so as to read as follows:

(2). All portions of such territory which is at the time it is brought within the corporate limits of the city

used or occupied as or as a part of a mining manufacturing or industrial plant or construction or which is used or occupied as or as a part of a railroad or street railroad or for any other quasi, public use, and continues to be so used, and all property having a situs on such territory (but not including residences, dwelling houses, store-houses, commissaries, ware-houses or the land on which they are situated) shall be exempt from city taxation for a period of ten years; and all portions of such territory which after it is brought within the corporate limits of the city is used or occupied by a new construction as or as a part of a mining, manufacturing, or industrial plant or construction, or which is used or occupied as or as a part of a railroad or a street railroad, or for any other quasi public use, and continues to be so used, and all property having a situs on such territory (but not including residences, dwelling-houses, store-houses, commissaries, ware-houses or the land on which they are situated) shall be exempt from city taxation for the period of ten years from the time of construction, use or occupation; provided, however, that in no event is the exemption to extend beyond fifteen years from the time when such territory is brought within the corporate limits of the city.

Any city or town having extended its corporate limits under the provisions of this act or any other act, or law may again extend its corporate limits hereunder or under any other act or law authorizing an extension of corporate limits by such city or town.

In every proceeding to extend the corporate limits of any city or town under the provisions hereof, the council of such city or town shall declare in each and every resolution, herein provided for and the probate judge shall declare in each and every order directing and ordering an election to be held hereunder, and in every notice given hereunder, and in every order made and entered on the records of the probate court hereunder, that such resolution, order or notice, as the case may be, is passed, given or entered under the provisions of this act.

After an election has been held in any territory under the provisions of this or any other act or law, no other or subsequent election shall be ordered or held for the same territory or any part thereof within six months next after said election.

Amend the bill as follows: Strike from subdivision 1 of section 3 the close at the end of the said subdivision beginning "but in no event," etc., down to the end of said subdivision of said section.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Moore
Alford	Fuller	McCrory
Altman	Glover	Pearson
Arnold	Goodwyn	Peete
Avery	Hoffman	Pitts (Perry)
Ballard (Autanga)	Jenkins	Powell (Bullock)
Ballard (Pike)	John	Pratt
Benners	Johnson	Price
Bloch	Jones	Pugh
Brown	Killen	Rainer
Carmichael (Clay)	King	Rowe
Coleman (Marshall)	Kirby	Rushton
Cooper	Kornegay	Sample
Crum	Lancaster	Sanders
Doyle (Clark).	Lawson	Smith (Franklin)
Doyle (Marengo)	Maner	Smith (Lee)
Dudley	Mastin	White (Lamar)
Edwards	Mitchell	Williams
Elrod		

—55.

On motion of Mr. Pitts of Perry, the House concurred in the Senate amendment to the bill H. 421, said Senate amendment being as follows:

A BILL

To be entitled an act providing for the survey and analysis and classification of soils of the State.

Section 1. Be it enacted by the Legislature of Alabama: That the commissioner of agriculture and indus-

tries be, and is hereby authorized to appoint, on approval of the Governor, one or more persons, who shall be known as soil surveyors, and whose duties it shall be to investigate, survey, analyze, class soils; and investigate the cause and prevention of diseases in farm products and plants, and the drainage of soils and the investigation of methods of growing, and fermenting of tobacco in the different tobacco sections of the State, and to determine the relative crop values of soils in the areas surveyed. To further make investigations with the view of introducing more remunerative crops or crops better adapted to the conditions and peculiar characteristics of the soils surveyed, and to give the location and boundaries of the areas surveyed and describe the general topographic features and regional drainage, character and source of population, present conditions as to settlement, chief towns, transportation facilities, markets and water powers and timber resources.

Section 2. That the results of the investigations to be carefully outlined and mapped in reports to the commissioner of agriculture and industries, who in return shall report the same to the governor. The reports shall be printed and maps lithographed in such a manner that the conditions and peculiar fitness of all areas thus examined, surveyed and analyzed, can be furnished to the farmers of the State, and prospective immigrants and home seekers and to those interested in improving their crops by understanding the classification of their soils..

Section 3. That the duty of the soil surveyor or surveyors, shall be to attend the State Agricultural Institutes, and any other agricultural meetings or schools, and lecture on soils, exhibiting maps of areas surveyed, and furnishing such other information as shall be required by the commissioner of agriculture and industries.

Section 4. That when, in the judgment of the governor and commissioner of agriculture and industries, the States' interests shall be best served, then the soil surveyor or surveyors shall be required to work with and co-operate with the soil surveyors from the United States Department of soils.

Section 5. That the sum of ten thousand (\$10,000) dollars or such part thereof, as is necessary to carry out the purposes hereinbefore set forth, be, and the same is hereby annually appropriated.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Parker
Altman	Fuller	Peete
Armstrong	Glover	Pitts (Perry)
Arnold	Goodwyn	Powell (Bullock)
Avery	Hoffman	Power
Ballard (Autauga)	Hughston	Pugh
Ballard (Pike)	Jenkins	Rainer
Baltzell	John	Rice
Benners	Jones	Rowe
Bloch	Killen	Rushton
Brown	King	Sample
Bulger	Lancaster	Sanders
Carmichael (Clay)	Lawson	Sanford
Cooper	Maner	Sherrod
Doyle (Clark)	Mastin	Smith (Franklin)
Doyle (Marengo)	Mitchell	Tunstall
Edwards	Moore	Turner
Elrod	McDuffie	White (Lamar)

—54.

On motion of Mr. John, the House concurred in the Senate amendment to the bill, H. 35, said Senate amendment being as follows:

Amend H. B. No. 35 by adding thereto section 15 as follows: Section 15. The mayor or other head of the governing body of any city or town shall appoint the commissioners provided for in section one hereof.

(1) Upon the adoption of a resolution by the governing body calling for such appointment.

(2) Upon the presentation of a petition to the governing body signed by one-third of the qualified electors residing within said city or town.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Peete
Alford	Hoffman	Pitts (Perry)
Armstrong	Hughston	Pratt
Avery	Jenkins	Price
Ballard (Autauga)	John	Pugh
Benners	Johnson	Rainer
Bloch	Jones	Rice
Brown	King	Rowe
Bulger	Kirby	Rushton
Cannon	Kornegay	Sanders
Carmichael (Clay)	Lawson	Sherrod
Cooper	Malone	Smith (Elmore)
Doyle (Clark)	Maner	Smith (Franklin)
Doyle (Marengo)	Mastin	Steagall
Elrod	Moore	Tunstall
Foster	McCrory	Turner
Fuller	Parker	Urquhart
Glover	Pearson	Vann
Goodwyn		

—55.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills:

S. 608. To provide that no license or taxes of any character shall be required by the State, county, or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

S. 524. To prohibit the sale, barter or exchange of spirituous, vinous or malt liquors or intoxicating beverages or drinks within five miles of the Presbyterian and Baptist churches at Pleasant Hill, Dallas county, Alabama, and to provide for the punishment of the violation of said act by the circuit courts of Dallas or Lowndes counties.

S. 488. To increase the salary of the solicitor of the county of Etowah, as now fixed by law, and to fix the same, and to provide for its payment.

S. 448. To repeal an act entitled an act "To define who are delinquent children and to provide for their arrest and care and reformation. Approved March 12, 1907," in so far as it applies to Dallas county.

S. 581. To require the tax assessor of Mobile county to make a lot book for the years 1906, 1907 and each year thereafter, showing in abstract form all legal subdivisions which have been or which may hereafter be made of all property in Mobile county, and the name of the person, firm or corporation to whom each lot or subdivision is assessed for the said years; and to provide compensation therefor.

S. 571. For the relief of John S. Bonner, a disabled and ex-confederate soldier of Pickens county, Alabama.

S. 506. To increase the fees for ex-officio services of the clerk of the city court of Gadsden, the judge of probate and sheriff of Etowah county, and to provide for the payment of the same.

Your signature thereto is requested.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Speaker of the House in the presence of the House immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present signed the bills the titles to which are set out in the above and foregoing Senate message.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 1141. To repeal an act entitled an act to increase and regulate the fine and forfeiture fund of Lee county, and to provide for the payment of State's witnesses out of the same, approved March 4th, 1901.

H. 1307. For the relief of tobacco dealers, other than dealers who conduct tobacco and cigar stands, who have paid the license tax under the bill approved March 7, 1907, entitled an act to better provide for the revenue of the State.

H. 1382. To amend an act entitled "An act to provide for an election by the qualified electors of Tuscaloosa county to determine whether the sale, barter, exchange, giving away or otherwise disposing of vinous, spirituous, or malt liquors, intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous, or malt liquors, intoxicating beverages, bitters and proprietary medicines, and to prohibit the shipping into said county by any common carriers and the bringing into said county by any persons for the use of any other person than himself any such spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts.

H. 930. To regulate the administration of the affairs of any municipal corporation which has been absorbed, or its government extinguished by the alteration or rearrangement of the boundary lines of another city or town.

H. 1054. To require the court of county commissioners of Marion county, Alabama, to use two mills each year of the two and one-half mills now used for bridges for the improvement of the public roads of the county through a public road superintendent or superintendents.

H. 931. To regulate cities that alter and re-arrange their boundary lines so as to absorb one or more cities or towns, or extinguish the government of one or more cities or towns.

And herewith returns the same to the House.

J. A. Kyle, Secretary.

BILLS ON THIRD READING.

H. 1287. To legalize the registration of, and to make self proving, deeds of conveyance, which have been recorded in the office of the judge of probate of the proper county before the passage of this act, but not within the time heretofore required by law.

Was read a third time, at length and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Elrod	Pitts (Perry)
Alford	Foster	Powell (Bullock)
Altman	Fuller	Power
Armstrong	Glover	Pratt
Arnold	Gunter	Pugh
Avery	Hoffman	Rainer
Ballard (Autauga)	Jenkins	Rice
Ballard (Pike)	John	Rowe
Baltzell	Killen	Rushton
Benners	King	Sample
Bloch	Kirby	Sanders
Brown	Lancaster	Sanford
Bulger	Lawson	Sherrod
Cannon	Maner	Smith (Elmore)
Carmichael (Clay)	Mitchell	Smith (Franklin)
Cooper	Moore	Tunstall
Doyle (Clark)	McCrory	Urquhart
Doyle (Marengo)	Peete	White (Lamar)
Edwards		

—55.

Mr. Bulger moved to reconsider the vote by which the bill, S. 441 was passed.

Mr. John moved to lay the motion to reconsider upon the table.

ADJOURNED.

Pending the consideration of the motion to table, the hour of six o'clock having arrived, the House adjourned until 8 o'clock tonight.

NIGHT SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll of the House the following members answered to their names:

Messrs:—

Speaker	Goodwyn	Maner
Alford	Gunter	Mitchell
Altman	Henley	Moore
Armstrong	Hoffman	McCrory
Arnold	Hughston	McDuffie
Arrington	Jenkins	McMillan
Avery	John	Parker
Ballard (Autauga)	Johnson	Pearson
Ballard (Pike)	Jones	Peete
Baltzell	Killen	Pitts (Dallas)
Barton	King	Pitts (Perry)
Benners	Kirby	Powell (Bullock)
Bloch	Kornegay	Power
Brown	Lacy (Dallas)	Pratt
Bulger	Lacy (Walker)	Price
Cannon	Lawson	Pugh
Carmichael (Clay)	Lee (Barbour)	Rainer
Cooper	Lee (Etowah)	Rice
Crum	Lee (Houston)	Rowe
Doyle (Marengo)	Lindsey	Rushton
Edwards	Long (Butler)	Sample
Elrod	Long (Morgan)	Sanders
Foster	Lovelady	Sanford
Fuller	Lyons	Sherrod
Glover	Malone	Smith (Elmore)

Smith (Etowah)
 Smith (Franklin)
 Smith (Lee)
 Tunstall

Turner
 Vann
 Weaver

White (Lamar)
 Williams
 Woolf

—85.

A quorum was present.

BILLS ON SECOND READING.

Mr. Gunter, chairman of the Standing Committee on Municipal Organization, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report with a substitute:

S. 284. (With substitute.) To further regulate municipal corporations, to confer additional rights, powers and authority, on the same, to prescribe the manner in which such rights, powers and authority may be acquired and conferred, and to provide the manner in which charters for such corporations may be obtained and amended.

Mr. Ballard of Autauga, Chairman of the Standing Committee on Temperance, reported that said committee in session had acted upon the following bill, and ordered same returned to the House with a favorable report:

S. 428. To prevent drinking intoxicating liquors in the presence of passengers on passenger cars.

Mr. Lyons, Chairman of the standing Committee on Appropriations, reported that said committee in session had acted upon the following bill and ordered same returned to the House with a favorable report:

H. 1286. For the relief of L. D. Whitehead, a confederate soldier of Talladega county.

The above and foregoing bills were severally read a second time, and placed on the calendar.

RESOLUTION.

The following resolution was introduced:

By Mr. Fuller:

H. R. 342. Resolved that S. bill 90, providing for the attendance of certain children of this State on the public schools of said State, and providing for the enforcement of said law, be made the first special and continuing order for Tuesday, August 6th.

UNFINISHED BUSINESS.

Mr. John called up his motion to table the motion to reconsider the vote by which the bill S. 441 was passed.

And the motion to table prevailed.

Yeas, 47; nays, 16.

Yeas:

Messrs:—

Speaker	John	Pratt
Altman	Johnson	Price
Armstrong	Jones	Pugh
Ballard (Autauga)	Killen	Ragsdale
Ballard (Pike)	King	Rice
Benners	Kirby	Rowe
Brown	Lawson	Sample
Cannon	Lee (Houston)	Sanders
Carmichael (Clay)	Lovelady	Sanford
Crum	Mitchell	Sherrod
Doyle (Marengo)	Moore	Smith (Franklin)
Foster	McCrory	Steagall
Fuller	McMillan	Tunstall
Glover	Pearson	Vann
Goodwyn	Peete	White (Lamar)
Henley	Power	

Nays:

Messrs:—

Alford	Cooper	Parker
Barton	Gunter	Pitts (Dallas)
Bloch	Lyons	Pitts (Perry)

Powell (Bullock)
Rainer
Smith (Elmore)

Turner
Weaver

Williams
Woolf

—16.

PAIR ANNOUNCED.

Mr. Hughston announced that he was paired with Mr. Oliver, if he were here, he (Mr. Oliver) would vote nay and he (Mr. Hughston) would vote yea.

BILL ON THIRD READING.

H. 893. To further prescribe the official duties of the deputy solicitors of the various counties of Alabama.

~~Was taken up.~~

The question was upon the adoption of the amendment reported by the standing committee on Judiciary, said amendment being as follows:

Insert after word "deputy" in 2nd line words solicitor or county—and in the 4th line insert after word "court" the words "or court of like jurisdiction," and insert in Sec. 2 line 1, after word "solicitor" the words or county solicitor, including the signing of indictments" and insert after word "court" in 3rd line the words "or court of like jurisdiction."

And the amendment was adopted.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Cannon	Hoffman
Alford	Carmichael (Clay)	Hughston
Altman	Cooper	Jenkins
Armstrong	Crum	John
Avery	Doyle (Marengo)	Johnson
Ballard (Autauga)	Edwards	Jones
Ballard (Pike)	Foster	Killen
Barton	Fuller	King
Benners	Glover	Kirby
Bloch	Goodwyn	Lacy (Dallas)
Brown	Gunter	Lacy (Walker)
Bulger	Henley	Lancaster

Lawson	McGrory	Pratt
Lee (Etowah)	Parker	Pugh
Lee (Houston)	Pearson	Rainer
Lovelady	Peete	Rice
Lyons	Pitts (Dallas)	Sample
Mitchell	Pitts (Perry)	Sanford
Moore	Powell (Bullock)	Smith (Franklin)

—57.

And, the bill:

H. 893. To further prescribe the official duties of the deputy solicitors of the various counties of Alabama.

As amended,

Was read a third time, at length and passed.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Lee (Etowah)
Alford	Goodwyn	Lee (Houston)
Altman	Gunter	Lovelady
Armstrong	Henley	Lyons
Avery	Hoffman	Mitchell
Ballard (Autauga)	Hughston	Moore
Ballard (Pike)	Jenkins	McCrory
Barton	John	Parker
Benners	Johnson	Peete
Bloch	Jones	Pitts (Dallas)
Brown	Killen	Pitts (Perry)
Bulger	King	Powell (Bullock)
Cannon	Kirby	Pratt
Cooper	Lacy (Dallas)	Pugh
Crum	Lacy (Walker)	Rainer
Doyle (Marengo)	Lancaster	Rice
Edwards	Lawson	Sample
Foster	Lee (Barbour)	Sanford
Fuller		

—55.

Mr. Lyons moved to reconsider the vote by which the bill H. 1249 was passed, and the motion prevailed.

Mr. Lyons moved to reconsider the vote by which the bill H. 1249 was ordered to a third reading, and the motion prevailed.

Mr. Lyons offered the following substitute for the bill H. 1249.

Sec. 1. Be it enacted by the Legislature of Alabama, That the sheriffs shall receive for feeding each prisoner in jail under charge or conviction of any indictable offense, to be paid by the State, according to the following scale, viz: When the number of prisoners for the entire month does not exceed five, 50cts. per day, when the number does not exceed ten, forty cents per day, when the number exceeds ten thirty cents per day.

Sec. 2. All laws and parts of laws in conflict or inconsistent herewith are hereby repealed.

Mr. Sample offered the following amendment to the substitute:

Amend substitute by striking out the word "ten" in line eleven and thirteen of the substitute and inserting in lieu thereof the words "twenty-five."

And the amendment was adopted.

And the substitute as amended was adopted.

Yeas, 53; nays, 25.

Yeas:

Messrs:—

Speaker	Jones	Peete
Armstrong	Kirby	Pitts (Dallas)
Barton	Lacy (Dallas)	Pitts (Perry)
Benners	Lacy (Walker)	Pratt
Bloch	Lancaster	Price
Brown	Lawson	Rice
Bulger	Lee (Barbour)	Rowe
Carmichael (Clay)	Lee (Etowah)	Sample
Crum	Lee (Houston)	Sanders
Doyle (Marengo)	Long (Butler)	Sanford
Foster	Lyons	Sherrod
Fuller	Maner	Smith (Elmore)
Glover	Mitchell	Smith (Franklin)
Goodwyn	McCrory	Tunstall
Gunter	McDuffie	Turner
Henley	McMillan	Weaver
Hoffman	Parker	Williams
Hughston	Pearson	

Nays:

Messrs:—

Altman	John	Power
Avery	Johnston	Pugh
Ballard (Autauga)	Killen	Ragsdale
Ballard (Pike)	King	Ralner
Cannon	Lindsey	Rushton
Cooper	Lovelady	Vann
Edwards	Moore	White (Lamar)
Elrod	Powell (Bullock)	Wolff
Jenkins		

—25.

And, the bill:

H. 1249. To regulate the fees of the sheriff's for feeding prisoners confined in jail under charge of or conviction of any indictable offense, and to provide the payment therefor.

As amended by the substitute as amended,
Was read a third time at length, and passed.

Yeas, 53. nays, 23.

Yeas:

Messrs:—

Speaker	Kirby	Pitts (Dallas)
Alford	Lacy (Dallas)	Pitts (Perry)
Armstrong	Lacy (Walker)	Pratt
Barton	Lancaster	Price
Benners	Lawson	Ragsdale
Bloch	Lee (Barbour)	Rice
Carmichael (Clay)	Lee (Etowah)	Rowe
Crum	Lee (Houston)	Sample
Doyle (Marengo)	Long (Butler)	Sanders
Foster	Long (Morgan)	Sanford
Fuller	Lyons	Sherrod
Glover	Maner	Smith (Elmore)
Goodwyn	Mitchell	Smith (Franklin)
Gunter	McCrory	Tunstall
Henley	McMillan	Turner
Hoffman	Parker	Weaver
Hughston	Pearson	Williams
Jones	Peete	

—53.

Nays:

Messrs:—

Altman	John	Power
Avery-	Killen	Pugh
Ballard (Autauga)	King	Rainer
Ballard (Pike)	Lindsey	Rushton
Cannon	Lovelady	Vann
Edwards	Mastin	White (Lamar)
Elrod	Moore	Wolff
Jenkins	Powell (Bullock)	

—23.

MESSAGE FROM THE SENATE.

Mr. Speaker:

~~The Senate has amended~~ as therein shown and as thus amended has passed House bills:

H. 182. To empower cities and towns to purchase and operate water works; to provide for issuance of their bonds in payment for the same and to provide for the securing of the unpaid money for such water works.

H. 378. To amend sections 1321 and 1322 of the code of 1896, as amended by the act approved March 7, 1907.

H. 674. To regulate the practice of medicine in the State of Alabama.

And,

Has passed the following House bills:

H. 271. To prevent the removal of ginner's tags from cotton bales and to provide a penalty therefor.

H. 812. To amend section eight (8) of an act entitled an act to amend, reconstruct, and provide for the enforcement of, the laws relating to the public health.

H. 1339. To exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively, or has heretofore secured ~~and~~ owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property, and which has not heretofore been manufactured for sale except such property as is devoted exclusively to the manufac-

ture of such article and to exempt from taxation the stock held by stockholders of such corporation.

And herewith returns the same to the House.

And has originated and passed the following Senate bill:

S. 507. To appropriate four thousand (\$4,000.00) dollars out of moneys arising from the sale of fertilizer tags, sale of licenses, or any other funds collected by the department of agriculture and industries and paid into the State treasury, not otherwise appropriated for the use of the department of agriculture and industries for the purpose of holding farmer's institutes, conducting experiments, gathering statistics, and for carrying out all laws now in existence or may hereafter be enacted for the betterment of the agricultural interests of the State.

S. 565. To provide for the establishment of a bureau to collect, compile, and publish cotton statistics and to prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof; to require ginners and others to make reports thereto; and to provide penalties for the violations of the provisions of this act.

S. 623. To empower the superintendent of education to give certificates of proficiency and of license to teach.

And returns same herewith to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Long, of Walker, the House concurred in the Senate amendment to the bill, H. 182, said Senate amendment being as follows:

Amend said bill so as to read as follows:

1. Cities and towns may construct or purchase and operate water works plants; such plants may be within or without such city or town; such plants may be purchased subject to incumbrances and to contracts to furnish water therefrom, the payment and performance of which may be assumed; in payment for such plant, cities or towns may issue their bonds in the manner pro-

vided by law and the same may be secured by mortgage or deed of trust on the plants so purchased; by the terms of such purchase it may be provided that the revenues of such water works may be collected, controlled and disbursed by a commission selected in the manner and having the powers and term of office which may be agreed upon between the vendor of such plant and such city or town.

2. By the terms of purchase, it may be further provided that the purchaser at a foreclosure sale under such mortgage or deed of trust shall have a franchise for not exceeding thirty years to operate such plant.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Lyons
Alford	Goodwyn	Mitchell
Armstrong	Gunter	Moore
Arrington	Henlev	McCrory
Avery	Hoffman	Parker
Ballard (Autauga)	Hughston	Pearson
Ballard (Pike)	Jenkins	Peete
Baltzell	John	Pitts (Dallas)
Benners	Johnson	Pitts (Perry)
Bloch	Jones	Powell (Bullock)
Brown	Killen	Power
Cannon	King	Pratt
Carmichael (Clay)	Lacy (Walker)	Pugh
Crum	Lancaster	Ragsdale
Doyle (Marengo)	Lawson	Rainer
Edwards	Lee (Etowah)	Rice
Elrod	Lee (Houston)	Smith (Franklin)
Foster	Lindsey	Tunstall
Fuller	Long (Morgan)	

—56.

On motion of Mr. Lee of Houston, the House concurred in the Senate amendment to the bill, H. 378, said Senate amendment being as follows:

Amend by striking out the words "except such foreign corporations as had qualified in good faith to do bus-

iness in this State prior to March 7, 1907" where said words first appear together in said act and by inserting in lieu of the words so stricken out the following:

"Except foreign corporations whose sole or principal business in this State is that of lending money and which had qualified in good faith to do business in this State prior to March 7, 1907."

Amend section 1321 by adding at the end thereof the following: Provided that all foreign corporations which have heretofore, bona fide, qualified under prior existing laws shall receive a credit for the amount so paid by them on any amount falling due by the provisions of this act.

Yeas, 60; nays, 0.

Yeas:

Messrs.

Speaker	Glover	Long (Morgan)
Alford	Goodwyn	Lyons
Arnold	Gunter	Maner
Avery	Henley	Mitchell
Ballard (Autauga)	Hughston	Moore
Ballard (Pike)	Jenkins	McCrory
Barton	John	Parker
Benners	Johnson	Pearson
Bloch	Jones	Peete
Brown	Killen	Pitts (Dallas)
Burney	King	Pitts (Perry)
Cannon	Lacy (Dallas)	Powell (Bullock)
Coleman (Marshall)	Lacy (Walker)	Power
Cooper	Lancaster	Pugh
Crum	Lawson	Rainer
Doyle (Marengo)	Lee (Barbour)	Rice
Edwards	Lee (Etowah)	Rowe
Elrod	Lee (Houston)	Sherrod
Foster	Lindsey	Smith (Franklin)
Fuller	Long (Butler)	Tunstall

—60.

On motion of Mr. Goodwyn the House concurred in the Senate amendment to the bill, H. 674, said Senate amendment being as follows:

Amend section 17 by striking out the words, "fifteen dollars" and inserting in lieu thereof the words "ten dollars."

Yeas, 57; nays, 0.

Yeas:

Messrs

Speaker	Glover	Lovelady
Alford	Goodwyn	Lyons
Arnold	Gunter	Maner
Avery	Henley	Mitchell
Ballard (Autauga)	Hoffman	Moore
Ballard (Pike)	Jenkins	McCrory
Baltzell	John	Parker
Benners	Johnson	Pearson
Bloch	Jones	Peete
Brown	Killen	Pratt
Bulger	King	Price
Cannon	Kirby	Pugh
Cooper	Lacy (Dallas)	Rainer
Crum	Lacy (Walker)	Rice
Doyle (Marengo)	Lancaster	Rowe
Edwards	Lawson	Sample
Elrod	Lee (Etowah)	Sherrod
Foster	Lee (Houston)	Vann
Fuller	Long (Butler)	Weaver

—57.

And the Senate bills the titles to which are set out in the above and foregoing Senate message were read one time and referred to appropriate standing committees as follows:

Agriculture, S. 507, S. 565.

Education, S. 623.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bills:

S. 274. To amend section 1 of an act, entitled, "An act to authorize cities and towns in the State of Alabama

to cause elections to be held therein to authorize the issue of bonds for purchasing or constructing public buildings, sewers, streets, alleys, bridges, and public school works and light plants, or to construct the same, and for such other purposes as may be authorized by law; to provide for the manner of giving notice of such election, the manner of holding the same, and the payment of expenses thereby incurred, and to authorize the issue of bonds when at such election the voters thereat shall decide in favor of such bond issue," approved February 25th, 1903.

S. 503. To further regulate and prohibit the sale or other disposition of spirituous, vinous, malt or intoxicating liquors, or the issuing of prescriptions by physicians for the sale or other disposition of such liquors.

And sends same herewith to the House without engrossment.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message, were read one time and referred to appropriate standing committees as follows:

Municipal Organization, S. 274.

Temperance, S. 503.

GOVERNOR'S MESSAGE.

On motion of Mr. Lee of Etowah, the House concurred in and adopted the amendment proposed by the Governor to the bill H. 1044, said Governor's amendment being as follows:

Montgomery, August 2nd, 1907.

To the House of Representatives:

It having been suggested to me by those interested in House bill 1044, that there is a possible discrepancy between the boundary lines as contained in the notice and advertisement of said bill and the boundary lines de-

scribed in the bill itself, I herewith return said bill and suggest the following amendment thereto, viz:

Amend said bill by striking out therefrom all the words and figures therein beginning with the words "established as follows," and ending with the words "the same are hereby replaced," inclusive, and by inserting in lieu thereof the following words and figures, viz:

Beginning at the northwest corner of section 30, T. 12, R. 8, thence south along range line to the point where said range line intersects the old Indian boundary line, thence southeasterly along said Indian boundary line to where the same is intersected by the section line between section 33 and section 34 of said township and range; thence north along said section line to the north east corner of said section 33; thence east along the section line between section 27 and 34 along the boundary line as now fixed and established by law.

B. B. Comer, Governor.

Yeas, 80; nays, 0.

Yeas:

Messrs.

Speaker	Edwards	Lee (Barbour)
Alford	Elrod	Lee (Etowah)
Altman	Foster	Lee (Houston)
Armstrong	Fuller	Lindsey
Arnold	Glover	Lovelady
Avery	Goodwyn	Lyons
Ballard (Autauga)	Gunter	Malone
Ballard (Pike)	Henley	Maner
Baltzell	Hoffman	Mitchell
Barton	Hughston	Moore
Benners	Jenkins	McCrory
Bloch	John	McMillan
Brown	Johnson	Parker
Bulger	Jones	Pearson
Cannon	Killen	Peete
Carmichael (Clay)	King	Pitts (Dallas)
Cooper	Kirby	Pitts (Perry)
Crum	Lacy (Walker)	Powell (Bullock)
Doyle (Marengo)	Lancaster	Power
Dudley	Lawson	Pratt

Price	Rushton	Tunstall
Pugh	Sample	Turner
Ragsdale	Sanford	Vann
Rainer	Sherrod	Weaver
Rattray	Smith (Elmore)	Williams
Rice	Smith (Franklin)	Woolf
Rowe	Smith (Lee)	

—80.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker :

Your committee on Enrolled Bills have examined the following House bills and beg leave to report the same correctly enrolled :

H. 1213. To amend section five of an act approved February 22nd, 1907, entitled "An act to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, and malt liquors, intoxicating beverages, bitters or proprietary medicines in Lamar county, Alabama, and to prohibit the shipping into said county by any common carrier, and the bringing into said county by any person for the use of any other person than himself, any spirituous, vinous, or malt liquors, intoxicating beverages, or intoxicating bitters or intoxicating proprietary medicines from any place within this State, and to prohibit the procuring for another or the taking or soliciting or receiving of orders for spirituous, vinous, or malt liquors, intoxicating beverages, intoxicating bitters or intoxicating proprietary medicines in said county and to prohibit the giving of orders for spirituous vinous, or malt liquors, intoxicating beverages, or intoxicating proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous, or malt liquors, intoxicating beverages, or intoxicating bitters, or intoxicating proprietary medicines by any person in said county over any telegraph or telephone line and to prohibit the receiving or sending by any telephone or telegraph company in said county of any order for spirituous, vinous, or malt liquors, intoxicating beverages, intoxicating beverages, or

intoxicating proprietary medicines to any point within this State, and to provide penalties for all such prohibited acts and to repeal all laws in conflict herewith.

H. 1210. To repeal Sec. 1 of an act to increase the criminal jurisdiction of justices of the peace in the counties of Limestone, Marion, Greene and Marshall, approved February 12, 1879, so far as Marion county is concerned; and to provide that justices of the peace and notaries public and ex-officio justices of the peace of Marion county shall have and exercise the jurisdiction given by the Code and general laws of the State.

H. 895. To repeal an act entitled an act to provide for the election of the county superintendent of education by a vote of the legal electors of Covington and Bullock counties, approved February 17th, 1885, so far as the same relates to Bullock county.

H. 906. To appropriate a sum of money to pay for the stationery and stationery supplies used by the Legislature of Alabama during this present session.

H. 1369. For the relief of A. J. Brooks of Jefferson county, Alabama.

H. 1321. To repeal sections 4, 5, 6 and 8 of an act entitled an act to "better provide for working the public roads in the counties of Baldwin, Escambia and Monroe, approved February 9th, 1901," in so far as the same applies to the county of Monroe and to amend section twelve of said act and further regulate the working of the public roads in Monroe county.

H. 902. To provide for the collection and disbursement of proceeds appropriated by law to the public schools of Coffee county from the dispensaries of said county.

H. 1008. To establish the law and equity court of Mobile.

H. 1106. To make it unlawful for any person to sell, give away, or otherwise dispose of spirituous, vinous, or malt liquors within three miles of the school house known as the Powell school-house in beat six (6) of Crenshaw county, Alabama, and to punish violations of the same.

H. 1194. To establish, maintain and regulate a dispensary in the city of Uniontown, Perry county, Alabama, for the sale of spirituous, or vinous liquors, or malt liquors, wines, ciders or other intoxicating liquors and to establish a board of directors for the purpose of better controlling and managing the sale of spirituous or vinous liquors, malt liquors, wines, ciders or other intoxicating liquors; to provide for the distribution of the profits from the sale of said liquors in said dispensary between said city and said county, and for other purposes.

H. 1075. To amend section 809 of the code of 1896.

H. 1107. To appropriate thirty-five hundred dollars (\$3,500.00) for the incidental and contingent expenses to be disbursed on the order of the Governor.

H. 952. To alter and re-arrange the boundary lines and corporate limits of the town of Elyton, Jefferson county, Alabama.

H. 900. To amend sections 2, 3, 6, 10, 11, (as amended March 2, 1901) 12 and 18 (as amended March 2, 1901) of an act, to establish a county court for the county of Clay, approved December 13th, 1898.

J. L. Williams, Chairman.

SIGNING BILLS.

The Speaker of the House in the presence of the House immediately after the title had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present signed the bills the titles to which are set out in the above and foregoing report from the standing committee on Enrolled Bills.

BILLS ON THIRD READING.

S. 583. To authorize the court of county commissioners of Perry county, Alabama, to fix the ex-officio fees of the sheriff of said county.

Was read a third time, at length and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs.

Speaker**Alford****Altman****Arnold****Avery****Baltzell****Barton****Benners****Bloch****Brown****Bulger****Cannon****Cooper****Crum****Dudley****Edwards****Elrod****Foster****Fuller****Glover****Goodwyn****Gunter****Henley****Hoffman****Jenkins****John****Jones****Killen****King****Kirby****Lawson****Lindsey****Lyons****Malone****Maner****Mastin****Moore****Parker****Pearson****Peete****Power****Pratt****Price****Pugh****Rainer****Rattray****Rice****Rowe****Sample****Sanders****Sanford****Seale****Turner****Vann****Weaver****Wolff**

—56.

S. 510. To authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county.

Was taken up.

The question was upon the adoption of the substitute reported by the standing committee on the Judiciary, said amendment being as follows:

Substitute—Amendment for S. 510, adopted and reported by the House committee on the Judiciary.

A BILL

To be entitled an act to authorize and require the governor to designate and appoint a judge or judges to try causes in the criminal court of Jefferson county.

Section 1. Be it enacted by the Legislature of Alabama, That the judges of the criminal court of Jeffer-

son county, shall from time to time, certify to the governor, the number of cases on the dockets of that court, in which the defendants are in jail, and whether every one of them have had an opportunity for a trial within the last sixty days, whereupon the governor shall designate as many judges of courts of record who try jury causes, to hold the criminal court of Jefferson county, and they may hold extra or special terms, order, draw and empanel juries, or try cases at the same time, that, both of the judges of the criminal court are engaged in trying causes.

Section 2. Whenever a judge is designated to hold the criminal court, who does not live in Jefferson county, he shall be paid out of the county treasury, on his warrant six dollars a day, for his expenses.

Mr. Hoffman moved to table the substitute, and the motion to table was lost.

Yeas, 27; nays, 32.

Yeas:

Messrs.

Alford	Hoffman	Pratt
Armstrong	Jenkins	Pugh
Cannon	Kirby	Sanders
Carmichael (Clay)	Lacy (Dallas)	Sanford
Cooper	Lawson	Tunstall
Elrod	Lee (Etowah)	Weaver
Glover	Lyons	White (Lamar)
Goodwyn	McDuffie	Williams
Gunter	Pearson	Wolf

—27.

Nays:

Messrs

Speaker	Doyle (Marengo)	Maner
Avery	Edwards	Mitchell
Ballard (Autauga)	Fuller	Parker
Barton	John	Peete
Benners	Jones	Pitts (Dallas)
Brown	Killen	Powell (Bullock)
Bulger	King	Power
Crum	Lee (Barbour)	Rainer

Rice	Sample	Turner
Rowe	Sherrod	Woolf
Rushton	Smith (Franklin)	

—32.

And the substitute was adopted.

Yeas, 29; nays, 26.

Yeas:

Messrs:—

Speaker	Jones	Power
Armstrong	Killen	Rainer
Avery	King	Rice
Ballard (Antauga)	Lee (Barbour)	Rowe
Benners	Maner	Rushton
Brown	Mitchell	Sample
Carmichael (Clay)	McCrary	Sanders
Doyle (Marengo)	McMillan	Sanford
Foster	Parker	Woolf
John	Pearson	

—29.

Nays:

Messrs:—

Alford	Henley	Pugh
Earton	Hoffman	Sherrod
Cannon	Jenkins	Smith (Elmore)
Cooper	Kirby	Smith (Franklin)
Edwards	Lacy (Dallas)	Tunstall
Fuller	Lawson	Weaver
Glover	Lee (Etowah)	White (Lamar)
Goodwyn	Pitts (Dallas)	Williams
Gunter	Pratt	

—26.

On motion of Mr. Glover, the substitute and the bill S. 570 were laid upon the table.

Yeas, 35; nays, 19.

Yeas:

Messrs:—

Alford	Cannon	Glover
Armstrong	Cooper	Goodwyn
Avery	Edwards	Gunter
Barton	Elrod	Hoffman

Jenkins	Parker	Smith (Elmore)
Johnson	Pearson	Smith (Franklin)
Kirby	Pitts (Dallas)	Tunstall
Lacy (Dallas)	Power	Vann
Lawson	Pratt	Weaver
Lee (Etowah)	Pugh	White (Lamar)
Long (Butler)	Sanders	Williams
Lyons	Sherrod	

—35.

Nays:

Messrs:—

Speaker	Jones	Rainer
Benners	Killen	Rice
Brown	King	Rowe
Carmichael (Clay)	Lee (Barbour)	Rushton
Doyle (Marengo)	Mitchell	Sample
Fuller	McMillan	Woolf
John		

—19.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following Joint Resolution:

S. J. R. 133. Resolved by the Senate the House concurring that the President of the Senate and Speaker of the House be requested to erase their signatures from,

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

And sends same to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Goodwyn the House concurred in the Senate Joint Resolution No. 133.

RECOMMITTAL OF BILLS.

On motion of Mr. Lyons H. 1286, was taken from the adverse calendar and recommitted to the standing committee on Appropriations.

MESSAGE FROM THE SENATE.

Mr. Speaker.

The President of the Senate having erased his signature from

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

You are hereby requested to erase your signature therefrom.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Speaker of the House in the presence of the House erased his signature from the bill S. 608.

RECONSIDERATION.

Mr. Goodwyn moved to reconsider the vote by which the bill S. 608 was passed, and the motion prevailed.

Mr. Goodwyn moved to reconsider the vote by which the bill was ordered to a third reading, and the motion prevailed.

Mr. Goodwyn offered the following amendment to the bill, S. 608: "Amend section one (1) by striking out the words "Central Alabama Fair" and inserting in lieu thereof the words "Alabama Agricultural."

And the amendment was adopted.

Yeas, 56; nays, 0.

Yeas :

Messrs :—

Speaker	Gunter	Power
Alford	Henley	Pratt
Altman	Hoffman	Price
Arnold	John	Fugh
Avery	Johnson	Rainer
Baltzell	Jones	Rice
Barton	Killen	Rowe
Benners	King	Sample
Bloch	Kirby	Sanders
Brown	Lawson	Seale
Cooper	Lee (Etowah)	Tunstall
Crum	Lindsey	Turner
Dudley	Long (Butler)	Vann
Edwards	Malone	Weaver
Elrod	Maner	White (Lamar)
Foster	Moore	White (Perry)
Fuller	Parker	Williams
Glover	Pearson	Woolf
Goodwyn	Peete	

—56.

And, the bill :

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

As amended,

Was read a third time, at length and passed.

Yeas, 56; nays, 0.

Yeas :

Messrs :—

Speaker	Benners	Foster
Alford	Bloch	Fuller
Altman	Brown	Glover
Arnold	Cooper	Goodwyn
Avery	Crum	Gunter
Baltzell	Edwards	Henley
Barton	Elrod	John

Jones	Peete	Seale
Killen	Power	Sherrod
King	Pratt	Steagall
Kirby	Price	Thompson
Lawson	Pugh	Tunstall
Lee (Etowah)	Rainer	Turner
Lindsey	Rice	Urquhart
Lyons	Rowe	Vann
Maner	Rushton	Weaver
Moore	Sample	Williams
Parker	Sanders	Woelf
Pearson	Sanford	

—56.

S. 562. For the relief of Chas. G. Abercrombie & Co. on unexpired license as future dealers.

Was read a third time, at length and lost.

Yeas, 24; nays, 29.

Yeas:

Messrs:—

Alford	Lee (Etowah)	Pugh
Avery	Long (Butler)	Rainer
Benners	Lyons	Sample
Foster	Maner	Sherrod
Glover	McCrary	Smith (Elmore)
Goodwyn	Parker	Weaver
Gunter	Pitts (Dallas)	Williams
Jenkins	Pitts (Perry)	Woelf

—24.

Nays:

Messrs:—

Speaker	Johnson	Power
Ballard (Autauga)	Jones	Pratt
Ballard (Pike)	Killen	Ragsdale
Barton	Kirby	Rowe
Cannon	Lacy (Dallas)	Rushton
Cooper	Lee (Barbour)	Smith (Franklin)
Doyle (Marengo)	Lovelady	Tunstall
Hoffman	Mitchell	Vann
Hughston	McMillan	White (Lamar)
John	Pearson	

—29.

Mr. Tunstall moved to reconsider the vote by which the bill S. 562 was lost, and on motion of Mr. John the motion to reconsider was laid upon the table.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House amendment to the following Senate bill:

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bill:

S. 608. To provide that no license or taxes of any character shall be required by the State, county or municipality from the Alabama Agricultural Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

Your signature thereto is requested.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Speaker of the House in the presence of the House immediately after the title had been publicly read by the clerk the reading at length having been dispensed with by a two-thirds vote of a quorum present signed the bill the title to which is set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 1310. To make an appropriation for the payment of sundry balances and to provide for the completion of the improvements on the State capitol building.

H. 1028. To repeal section 22 of an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

H. 1083. To make an appropriation for furnishing and equipping certain of the offices and departments in the State capitol.

And herewith returns the same to the House.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

Pending the consideration of the House message transmitting the Governor's amendment to House bill No. 1154, the Senate received a message from the Governor recalling said bill, and the Senate returned same without considering the amendments proposed thereto.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and passed the following Senate bills:

S. 423. To prohibit the sale of pistols, revolvers, dirks, bowie knives and pistol cartridges in the State of Alabama.

S. 568. To amend section 18 of an act entitled an act to provide that under certain conditions an election may be held in the several counties in Alabama, each county acting by and for itself only, as to whether municipal corporations in such counties shall have authority to buy and sell spirituous, vinous or malt liquors; to provide that the voters at said election shall vote

"For Dispensary" or "Against Dispensary;" to declare the result and effect of said election; to define the term "Dispensary," as used in this Act; to provide that in those counties in which, at the election aforesaid, a majority of the votes cast "For Dispensary," the municipal corporations in said county shall have authority to establish, maintain and operate dispensaries and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors; to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provision of this act shall be a misdemeanor and to provide for the punishment thereof; and to further regulate the sale of liquors in said counties; this act not being intended however, to repeal or affect any law which prohibits the sale of liquor in any county or part of a county, or to repeal or affect any law which authorizes municipal corporations to buy and sell liquors in any county or part of a county by and through dispensaries, or to repeal any local law authorizing the sale, without license, of wines made from grapes or berries grown in this State. Approved on 13th day of March, 1907.

S. 280. To make it an offense for any depot agent or person having control of any passenger depot to neglect or fail to keep in some convenient place at or near such depot a water closet or necessary in good condition for the benefit of ladies in waiting and expecting to become passengers on any passenger train at such depot, and to prescribe the punishment therefor.

And sends same herewith to the House without engrossment.

J. A. Kyle, Secretary.

SENATE MESSAGE.

The Senate bills, the titles to which are set out in the above and foregoing Senate message were read one time and referred to appropriate standing committees as follows:

Temperance, S. 423, S. 568.

Commerce and Common Carriers, S. 280.

BILLS ON THIRD READING.

S. 487. To authorize incorporated cities and towns in this State which have within their corporate limits ancient, private or family cemeteries or burial grounds to contract for their care and maintenance.

Was read a third time, at length and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Peete
Alford	Gunter	Power
Aitman	Fenley	Pratt
Arnold	Jenkins	Price
Avery	John	Pugh
Baltzell	Johnson	Ragsdale
Barton	Jones	Rainer
Benners	Killen	Rice
Bloch	King	Rowe
Brown	Kirby	Sample
Cannon	Lawson	Sanders
Cooper	Lindsey	Sanford
Crum	Lyons	Seale
Dudley	Malone	Sherrod
Edwards	Maner	Turner
Elrod	Moore	Vann
Foster	Parker	Weaver
Fuller	Pearson	Woolf
Glover		

—56.

S. 530. To repeal an act entitled an act to abolish the county court of Marion county, approved February 1, 1895, and to provide for a county court hereafter in Marion county, Alabama, under the code as hertofore.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:**Messrs:—**

Speaker	Goodwyn	Pearson
Altman	Gunter	Pcete
Arnold	Henley	Power
Avery	Jenkins	Pratt
Baltzell	John	Price
Barton	Johnson	Pugh
Benners	Jones	Rainer
Bloch	Killen	Rice
Brown	King	Rowe
Bulger	Kirby	Sample
Cannon	Lawson	Sanders
Cooper	Lindsey	Seale
Crum	Lyons	Sherrod
Dudley	Malone	Tunstall
Edwards	Maner	Turner
Elrod	Mitchell	Vann
Foster	Moore	Weaver
Fuller	McCrary	Woolf
Glover	Parker	

—56.

S. 471. To amend section 1 of an act, approved December 7th, 1896, entitled an act to amend sec. 1, of an act entitled an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river and the tributaries of these streams in Mobile county, approved February 18th, 1895.

Yeas:**Messrs:—**

Speaker	Cannon	Gunter
Alford	Cooper	Henley
Altman	Crum	Hoffman
Arnold	Dudley	John
Avery	Edwards	Johnson
Baltzell	Elrod	Jones
Barton	Foster	Killen
Bloch	Fuller	King
Brown	Glover	Kirby
Bulger	Goodwyn	Lawson

Lee (Etowah)	Pearson	Rice
Lindsey	Peete	Rowe
Lyons	Power	Sample
Malone	Pratt	Seale
Maner	Price	Sherrod
Mastin	Pugh	Turner
Moore	Ragsdale	Vann
McCrory	Rainer	Woolf
Parker	Rattray	

—56.

S. 476. To amend section 3 of an act entitled "an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama, in the counties of Mobile and Baldwin," approved February 9, 1891.

Was read a third time, at length and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Pratt
Alford	Jenkins	Price
Altman	John	Pugh
Arnold	Johnson	Ragsdale
Avery	Jones	Rainer
Baltzell	Killen	Rattray
Barton	King	Rice
Benners	Kirby	Rowe
Bloch	Lawson	Sample
Brown	Lindsey	Sanders
Cooper	Lyons	Sanford
Crum	Malone	Seale
Edwards	Maner	Sherrod
Elrod	Moore	Tunstall
Foster	McMillan	Turner
Fuller	Parker	Vann
Glover	Pearson	Weaver
Goodwyn	Peete	Woolf
Gunter	Power	

—56.

ADJOURNMENT.

On motion of Mr. Lyons the House adjourned until 8:30 Tuesday morning, August 6th.

FORTY-NINTH DAY.

House of Representatives,

Tuesday, Aug. 6, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by the Rev. Mr. Malone of the House.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names.

Messrs:—

Speaker	Cranford	Kirby
Alford	Crum	Kornegay
Altman	Doyle (Marengo)	Lacy (Dallas)
Arnold	Edwards	Lacy (Walker)
Arrington	Elrod	Lancaster
Avery	Foster	Lawson
Ballard (Autauga)	Fuller	Lee (Barbour)
Ballard (Pike)	Glover	Lee (Etowah)
Baltzell	Goodwyn	Lee (Houston)
Barton	Gunter	Lindsey
Benners	Haley	Long (Butler)
Bloch	Henley	Long (Morgan)
Brown	Hoffman	Lovelady
Bulger	Hughston	Lyons
Burney	Jenkins	Malone
Cannon	John	Maner
Carmichael (Clay)	Jones	Mastin
Coleman (Marshall)	Killen	Middleton
Cooper	King	Mitchell

Moore	Price	Smith (Etowah)
McCrory	Pugh	Smith (Franklin)
McDuffie	Ragsdale	Smith (Lee)
McMillan	Ralner	Steagall
Norville	Lattray	Thompson
Parker	Rice	Tunstall
Pearson	Rowe	Turner
Peete	Rushton	Urquhart
Pitts (Dallas)	Sample	Vann
Pitts (Perry)	Sanders	Weaver
Powell (Bullock)	Sanford	White (Lamar)
Powell (Covington)	Seale	White (Perry)
Power	Sherrod	Williams
Pratt	Smith (Elmore)	Wooft

—99.

A quorum was present.

JOURNAL.

The chairman of the Standing committee on the revision of the Journal made the following report:

Mr. Speaker:

Your committee on the Revision of the Journal begs leave to report that it has examined the Journal for the forty-eighth day and find the same to be correct..

H. B. Steagall, Chairman.

The report of the committee was concurred in and the Journal for the 48th day was approved.

LEAVE OF ABSENCE.

Indefinite leave of absence was granted to Mr. Doyle of Clarke, on account of sickness.

PRIVILEGES OF THE FLOOR.

Was granted to Hon. J. C. Rowton, of Crenshaw, for today.

REPORT OF RULES COMMITTEE.

Mr. John, from the Committee on Rules, returned to the House a resolution making the following bills special orders for today immediately after the consideration of Senate bill No. 131. S. 343, S. 398, S. 399 and S. 520. And the following bills were made special orders immediately after S. 321. S. 600, S. 150 and S. 513.

And the following resolution was returned with a favorable report with an amendment.

H. R. 343. Rules Committee. The Committee on Rules recommends that the morning session of the House be extended to 6 o'clock p. m. with a recess from 1 to 3 p. m.

And the report of the committee was concurred in and adopted.

Mr. John from the Standing Committee on Rules, returned to the House the following resolution with an adverse report, H. R. No. 280.

RESOLUTIONS.

The following resolutions were introduced.

H. J. R. 344. Be it resolved by the Legislature of Alabama, That the governor be and he is hereby requested to return to the House, H. B. 133, "To amend an act entitled an act to establish an inferior court in precincts 21 and 37, Jefferson county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precincts, and to define the jurisdiction and powers of said court and the judges thereof," approved Sept. 26th, 1903. For the purpose of having the said bill correctly enrolled.

On motion of Mr. Glover the Rules were suspended and the resolution was adopted.

By Mr. Pitts, of Perry:

H. R. 345. Resolved that S. 546, the fertilizer bill, be made a paramount continuing order for Tuesday, Aug. 6, 1907, after

Rules.

By Mr. Pitts of Dallas:

H. R. 346 . Resolved, That S. 589 be made a special paramount order for 4 p. m. today.

Rules.

Mr. Smith of Elmore:

H. R. 347. Resolved that Senate bill No. 551 be made a special order for 10 o'clock Wednesday the 7th day of Aug. 1907.

Rules.

H. J. R. 348. By Mr. Lyons:

Whereas, a study of the many and complex problems of transportation which now confront the American people justifies the belief that a favorable solution may be found in the speedy improvement of navigable inland water ways and the important sea-ports of the country, and whereas, the port of Mobile is the recognized natural outlet for the growing commerce of a large territory to Cuba, the West Indies and Central and South America, and

Whereas, the early deepening and maintenance of the channel from said port of Mobile to the Gulf of Mexico to thirty feet is therefore a great commercial necessity, be it

Resolved, by the House of Representatives, the Senate concurring, that in the opinion of the Legislature of Alabama, it would be an act of both wisdom and duty if the Federal Congress would hereafter make such liberal appropriations for carrying on the improvements at the port of Mobile as would insure the speedy completion of the work there in conformity with the pressing demands of the growing commerce of said port.

Resolved, further, that a copy of this preamble and resolutions be sent to each of the Senators and Representatives from this State in the Congress of the United States, with the request that the same be laid before that body, and that such favorable action be urged by said members as will tend to secure hereafter such substantial recognition from the Federal Government as is justly due an enterprise of the importance of the one inaugurated at Mobile many years ago, but the work on which has seemingly not been prosecuted with sufficient

rapidity to keep pace with the expanding commerce of that port.

On motion of Mr. Lyons the Rules were suspended and the resolution was adopted.

By Mr. Smith of Lee:

H. R. 349. Be it resolved by the House that S. B. 635 be made a special order the first thing immediately after the report of the committee on the revision of the Journal tomorrow. Said bill relates to appeals.

Rules.

By Mr. Steagall:

H. R. 350. Resolved, That Senate bill No. 481 be made a special order for Wednesday morning after the reading of the Journal.

Rules.

By Mr. Turner:

H. R. 351. Resolved, That Senate bill 124 be made a special paramount continuous order for the first business after convening for the afternoon session for today.

Rules.

BILLS ON SECOND READING.

Mr. Long, of Butler, Chairman of the standing committee on Commerce and Common Carriers, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

S. 280. To make it an offense for any depot agent or person having control of any passenger depot to neglect or fail to keep in some convenient place at or near such depot a water closet or necessary in good condition for the benefit of ladies in waiting and expecting to become passengers on any passenger train at such depot, and to prescribe the punishment therefor.

S. 538. To prohibit the having of pay-days and the running of pay trains in the State of Alabama and to provide a punishment therefor.

H. 1058. To prescribe the measure of damages for negligent destruction or injury to property, goods or chattels by railroad companies and to regulate the collection thereof.

S. 273. To make it an offense for any depot agent, or person having control of any passenger depot with a telegraph office, to neglect or fail to keep displayed a bulletin board, showing when any delayed passenger train will arrive at such depot, and to prescribe the punishment therefor.

Mr. John, chairman of the standing committee on Judiciary reported that said committee in session had acted upon the following bill, and ordered same returned to the House with a favorable report:

S. 635. To amend sections 426, 427, 431, 434, and 456 of the Code of 1896.

Mr. Lee of Etowah, Chairman of the Standing Committee on Education, reported that said Committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

S. 323. To aid in the establishment of libraries in free public schools of this State.

S. 623. To empower the superintendent of education to give certificates of proficiency and of license to teach.

Mr. Ballard of Autauga, chairman of the standing committee on Temperance, reported that said committee in session had acted upon the following bills and ordered same reported to the House with a favorable report:

S. 423. To prohibit the sale of pistols, revolvers, dirks, bowie knives and pistol cartridges in the State of Alabama.

S. 634. To provide for an auditing of the dispensaries of Bibb county, Alabama, and to further regulate said dispensaries.

S. 568. To amend section 18 of an act entitled an act "to provide that under certain conditions an election may be held in the several counties in Alabama, each county acting by and for itself only, as to whether mu-

municipal corporations in such counties shall have authority to buy and sell spirituous, vinous or malt liquors; to provide that the voters at said election shall vote "For Dispensary," or "Against Dispensary"; to declare the result and effect of said election; to define the term "Dispensary," as used in this act; to provide that in those counties in which, at the election aforesaid, a majority of the votes are cast "For Dispensary," the municipal corporations in said counties shall have authority to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors; to prohibit and punish the selling of liquors and intoxicating drinks in said counties in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; and to further regulate the sale of liquors in said counties; this act not being intended however, to repeal or affect any law which prohibits the sale of liquor in any county or part of a county, or to repeal or affect any law which authorizes municipal corporations to buy and sell liquors in any county or part of a county by and through dispensaries, or to repeal any local law authorizing the sale, without license, of wines made from grapes or berries grown in this State. Approved on 13th day of March, 1907.

S. 503. To further regulate and prohibit the sale or other disposition of spirituous, vinous, malt or intoxicating liquors, or the issuing of prescriptions by physicians for the sale or other disposition of such liquors.

Mr. Pitts of Perry, chairman of the standing committee on Agriculture, reported that said committee in session had acted upon the following bills and ordered same returned to the House with a favorable report:

S. 507. To appropriate four thousand (\$4,000.00) dollars out of moneys arising from the sale of fertilizer tags, sale of licenses, or any other funds collected by the department of Agriculture and Industries and paid into the State treasury, not otherwise appropriated for

the use of the Department of Agriculture and Industries for the purpose of holding Farmer's Institutes, conducting experiments, gathering statistics, and for carrying out all laws now in existence or may hereafter be enacted for the betterment of the agricultural interests of the State.

S. 565. To provide for the establishment of a bureau to collect, compile and publish cotton statistics and to prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof; to require ginners and others to make reports thereto; and to provide penalties for the violations of the provisions of this act.

S. 546. To amend sections 1, 2, 4, 5, 6, 8, 9, 13, 14 and 15 of an act entitled an "an act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphate, fertilizer materials and chemicals in the State of Alabama," approved Mar. 3, 1903. .

Mr. Smith, of Elmore, chairman of the standing committee on Public Roads and Highways, reported that said Committee, in session, had acted on the following bill and ordered the same returned to the House with a favorable report:

S. 551. To submit to the qualified electors of the State at the general election to be held on the first Tuesday after the first Monday in November 1908 for their consideration an amendment to section 93 of article IV of the Constitution so as to provide that the State may under appropriate laws cause the net proceeds from the State convict fund to be applied to the construction, repair and maintenance of public roads for the State and the Legislature may also make additional appropriations for that purpose.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that the committee, in session, had acted on the following bills and ordered the same returned to the House with a favorable report:

S. 570. To authorize the auditor on certificate of the board of county examiners to restore confederate pensioners to the pension list and pay unpaid pensions, where through mistake, omission or inadvertence dropped from or off the list.

S. 637. For the payment of the expenses of the Legislature and executive and judicial officers of the State in attending the funeral of the late Senator Pettus.

The above and foregoing bills were severally read a second time, and placed on the calendar.

BILLS REPORTED ADVERSELY.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee in session, had acted on the following bills and ordered the same returned to the House with an adverse report:

S. 552. To fix the time and places of holding the chancery court in the north-eastern chancery division of Alabama.

H. 1330. To amend section 5538 of the code in as far as the same applies to Tallapoosa county.

Mr. Lyons, chairman of the standing committee on Appropriations, reported that said committee in session has acted on the following bills and ordered same returned to the House with an adverse report.

S. 311; 559; 574; 578 1-2; H. 1118; 1384.

Mr. Pitts of Perry, chairman of the standing committee on Agriculture, reported that said committee in session has acted on the following bill and ordered same returned to the House with an adverse report.

S. 453.

Mr. Long, of Butler, chairman of the standing committee on Commerce and Common Carriers, reported that said committee, in session, had acted on the following bill and ordered the same returned to the House with an adverse report:

S. 604. To amend section one of an act entitled an act to define and prohibit the unlawful giving, issuing,

receiving or using free passes, rebates, reductions or discounts for transportation by common carriers of passengers and to punish the unlawful giving, issuing, using or receiving same, approved Feb. 14, 1907.

Mr. Long, of Butler, chairman of the standing committee on Commerce and Common Carriers returned to the House the following bills without action.

H. 706; 768; 783; 804; 813; 877; 1047; 1284; 1285; 1385.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in

H. J. R. 344. Relative to the return by the governor of H. 133.

For the purpose of having the said bill correctly enrolled.

J. A. Kyle, Secretary.

RECOMMITTAL OF BILL.

On motion of Mr. Bulger the bill S. 552. To fix the times and places of holding the chancery court in the northeastern chancery division of Alabama.

Was recommitted to the standing committee on Judiciary.

S. 384. To provide for the establishment of high schools in this State, and to make appropriations for said schools.

Was taken up.

The question was upon the adoption of the amendment reported by the standing committee on education, said amendment being as follows:

Section 4 1-2. The commission named in section 1 of this act, the same being composed of the governor, auditor and superintendent of education, shall be and the same are authorized and directed to also establish in accordance with the foregoing provisions of this act and under the terms and conditions hereof, a high school in

each of the counties excepted in section 1 hereof, whenever in the opinion of the governor the financial condition of the treasury of the State, shall justify the same.

Mr. Arnold offered the following amendment to the amendment:

1. Amend section 1 of said act by striking out all of said section after the words "State" on line 4 of said section.

2. And amend section 3 by striking out the words "except those hereinbefore excepted" on lines 1 and 2 of said section 3.

Mr. McDuffie moved to table the amendment of Mr. Arnold to the amendment offered by the committee, and the motion to table prevailed.

Yeas, 54; nays, 27.

Yeas:

Messrs:—

Avery	Jones	Parker
Baltzell	King	Peete
Barton	Kirby	Pitts (Dallas)
Bloch	Kornegay	Pitts (Perry)
Brown	Lacy (Walker)	Powell (Covington)
Bulger	Lee (Barbour)	Pratt
Cannon	Lee (Etowah)	Rainer
Carmichael (Clay)	Lee (Houston)	Rattray
Cranford	Lindsey	Rice
Crum	Long (Butler)	Rowe
Doyle (Marengo)	Long (Morgan)	Rushton
Edwards	Mastin	Sample
Elrod	Middleton	Sherrod
Fuller	Moore	Smith (Franklin)
Glover	McCrary	Steagall
Hailey	McDuffie	Turner
Henley	McMillan	Urquhart
John	Norville	White (Lamar)

—54.

Nays:

Messrs:—

Speaker	Ballard (Pike)	Cooper
Arnold	Benners	Foster
Ballard (Autauga)	Burney	Gunter

Hoffman	Malone	Sanford
Killen	Mitchell	Smith (Elmore)
Lacy (Dallas)	Pearson	Smith (Lee)
Lancaster	Price	Tunstall
Lawson	Pugh	Weaver
Lovelady	Sanders	White (Perry)

—27.

Mr. Foster offered the following substitute for the amendment offered by the committee:

"Amend section 1 by striking out all of section 1 after the word State and inserting in lieu of the words stricken out, the following: Provided that a high school shall not be established under the provisions of this act in any county in which there are already established an agricultural school, normal school for white people, the Polytechnic Institute, the University of Alabama, the Industrial School for White Girls, or a high school free to all the children of the county, until after a high school has been established in all the other counties, and,

Amend section 3 by striking out the words "except those hereinbefore excepted in line 1 and 2 of said section 3.

Mr. Bulger moved to table the substitute offered by Mr. Foster and the motion to table was lost.

Yeas, 33; nays, 51.

Yeas:

Messrs:—

Arrington	Kirby	Parker
Baltzell	Kornegay	Pitts (Dallas)
Barton	Lee (Barbour)	Pitts (Perry)
Bloch	Lee (Houston)	Powell (Covington)
Brown	Lindsey	Pratt
Bulger	Long (Butler)	Rainer
Cannon	Moore	Rattray
Carmichael (Clay)	McCrary	Sample
Crum	McDuffie	Sherrod
Edwards	McMillan	Smith (Franklin)
Jones	Norville	White (Lamar)

—33.

Nays:

Messrs:—

Speaker	Hoffman	Price
Arnold	Hughston	Pugh
Avery	John	Rice
Ballard (Autanga)	Killen	Rowe
Ballard (Pike)	Lacy (Dallas)	Sanders
Benners	Lacy (Walker)	Sanford
Burney	Lancaster	Seale
Cooper	Lawson	Smith (Elmore)
Cranford	Lee (Etowah)	Smith (Etowah)
Doyle (Marengo)	Lovelady	Smith (Lee)
Elrod	Malone	Steagall
Foster	Maner	Tunstall
Glover	Mastin	Turner
Goodwyn	Middleton	Urquhart
Gunter	Mitchell	Weaver
Haley	Pearson	White (Perry)
Henley	Power	Woolf

—51.

And the substitute offered by Mr. Foster was adopted.

And the amendment reported by the committee as amended by the substitute was adopted.

Yeas, 56; nays, 25.

Yeas:—

Messrs:—

Speaker	Crum	Lee (Etowah)
Arnold	Doyle (Marengo)	Lovelady
Avery	Elrod	Malone
Ballard (Autanga)	Foster	Maner
Ballard (Pike)	Goodwyn	Mastin
Baltzell	Gunter	Mitchell
Barton	Haley	McMillan
Benners	Hoffman	Pearson
Brown	Hughston	Peete
Bulger	John	Power
Burney	Lacy (Dallas)	Pratt
Carmichael (Clay)	Lacy (Walker)	Price
Cooper	Lancaster	Pugh
Cranford	Lawson	Rattray

Rice	Smith (Elmore)	Urquhart
Rowe	Smith (Etowah)	Weaver
Sanders	Smith (Lee)	White (Perry)
Sanford	Tunstall	Woolf
Seale	Turner	

—56.

Nays:

Messrs:—

Arrington	Kornegay	Powell (Bullock)
Bloch	Lee (Barbour)	Powell (Covington)
Cannon	Lindsey	Rainer
Edwards	Long (Butler)	Rushton
Fuller	Moore	Sample
Henley	McCrory	Sherrod
Jones	McDuffie	Smith (Franklin)
Killen	Parker	White (Lamar)
Kirby		

—25.

Mr. Lee, of Houston, offered the following amendment to the bill:

"Amend bill by striking out section 2 of said bill."

Mr. Long, of Butler, moved to table the amendment offered by Mr. Lee of Houston, and the motion was lost.

And, the amendment offered by Mr. Lee of Houston, was adopted.

Yeas, 53; nays, 28.

Yeas:

Messrs:—

Speaker	Doyle (Marengo)	Killen
Arnold	Elrod	Lacy (Walker)
Arrington	Foster	Lancaster
Avery	Glover	Lee (Houston)
Barton	Goodwyn	Lovelady
Benners	Gunter	Malone
Burney	Haley	Maner
Carmichael (Clay)	Henley	Mastin
Cooper	Hoffman	Middleton
Cranford	Hughston	Mitchell
Crum	John	McCrory

McMillan	Pugh	Sherrod
Parker	Rainer	Smith (Elmore)
Pearson	Rice	Thompson
Pitts (Dallas)	Rowe	Tunstall
Powell (Bullock)	Sanders	Urquhart
Power	Sanford	Woolf
Price	Seale	

—53.

Nays:

Messrs:—

Ballard (Autauga)	Lawson	Pratt
Ballard (Pike)	Lee (Barbour)	Rushton
Bloch	Lee (Etowah)	Sample
Brown	Lindsey	Smith (Etowah)
Bulger	Long (Butler)	Smith (Franklin)
Cannon	Moore	Smith (Lee)
Fuller	McDuffie	Turner
Jones	Peete	Vann
Kirby	Powell (Covington)	Weaver
Kornegay		

—28.

Mr. Carmichael of Colbert, offered the following amendment to the bill:

"Amend section 3 by inserting after the word "site" in line 3 the words "which shall consist of not less than five acres of land the title of the surface of which shall be in fee, but the land need not include mineral rights."

Mr. Rice moved to table the amendment Mr. Carmichael, of Colbert, and the motion to table was lost.

And the amendment offered by Mr. Carmichael of Colbert, was adopted.

Yeas, 65; nays, 15.

Yeas:

Messrs:—

Speaker	Barton	Cannon
Arnold	Benners	Carmichael (Clay)
Arrington	Brown	Cooper
Avery	Bulger	Cranford
Baltzell	Burney	Crum

Doyle (Marengo)	Lawson	Pratt
Edwards	Lee (Barbour)	Price
Elrod	Lee (Etowah)	Pugh
Foster	Lee (Houston)	Rattray
Glover	Lovelady	Rowe
Goodwyn	Lyons	Rushton
Gunter	Malone	Sanders
Haley	Maner	Sanford
Henley	Mitchell	Sherrod
Hughston	Moore	Smith (Elmore)
John	McCrary	Smith (Franklin)
Jones	Parker	Smith (Lee)
Killen	Pearson	Tunstall
King	Peete	Turner
Kirby	Pitts (Dallas)	Weaver
Lacy (Walker)	Pitts (Perry)	Wolff
Lancaster	Power	

—65.

Nays:

Messrs:—

Ballard (Autauga)	Lindsey	Rice
Ballard (Pike)	McDuffie	Sample
Bloch	Powell (Bullock)	Seale
Fuller	Powell (Covington)	Urquhart
Kornegay	Rainer	White (Perry)

—15.

Mr. Tunstall offered the following amendment to the bill:

“Amend by adding at end of section — the following: Provided that said high school for the county of Hale shall be located at Moundville in said county of Hale.

Mr. Bloch moved to table the amendment offered by Mr. Tunstall, and the motion to table prevailed.

Yeas, 41; nays, 29.

Yeas:

Messrs:—

Speaker	Burney	Doyle (Marengo)
Avery	Cannon	Edwards
Bloch	Crum	Elrod

Goodwyn	Lindsey	Rainer
Haley	Lyons	Rowe
Henley	Moore	Rushton
Hughston	McCrory	Sample
Jones	McDuffie	Sherrod
Killen	Pearson	Smith (Etowah)
King	Powell (Bullock)	Urquhart
Kirby	Power	Vann
Lee (Barbour)	Pratt	Weaver
Lee (Etowah)	Price	White (Lamar)
Lee (Houston)	Pugh	

—41.

Nays:

Messrs:—

Ballard (Pike)	John	Powell (Bullock)
Barton	Kornegay	Rattray
Benners	Lacy (Walker)	Rice
Bulger	Lancaster	Smith (Elmore)
Carmichael (Clay)	Lawson	Smith (Lee)
Coleman (Marshall)	Maner	Steagall
Cooper	Parker	Turner
Foster	Peete	White (Perry)
Fuller	Pitts (Dallas)	Woolf
Glover	Pitts (Perry)	

—29.

And, the bill:

S. 384. To provide for the establishment of high schools in this State, and to make appropriations for said schools.

As amended,

Was read a third time at length and passed.

Yeas, 79; nays, 10.

Yeas:

Messrs:—

Speaker	Brown	Cranford
Arnold	Bulger	Crum
Arrington	Burney	Doyle (Marengo)
Avery	Cannon	Elrod
Barton	Carmichael (Clay)	Foster
Benners	Coleman (Marshall)	Fuller
Bloch	Cooper	Glover

Goodwyn	Lyons	Pugh
Gunter	Malone	Ratray
Haley	Mastin	Rice
Henley	Middleton	Rowe
Hoffman	Mitchell	Rushton
Hughston	Moore	Sanford
John	McCrory	Seale
Jones	McDuffie	Sherrod
King	McMillan	Smith (Elmore)
Kirby	Norville	Smith (Etowah)
Lacy (Dallas)	Parker	Smith (Franklin)
Lacy (Walker)	Pearson	Thompson
Lancaster	Peete	Turner
Lawson	Pitts (Dallas)	Urquhart
Lee (Barbour)	Pitts (Perry)	Vann
Lee (Etowah)	Powell (Bullock)	Weaver
Lee (Houston)	Powell (Covington)	White (Lamar)
Lindsey	Pratt	Williams
Long (Butler)	Price	Woolf
Lovelady		

—79.

Nays:**Messrs:—**

Ballard (Autauga)	Power	Sanders
Ballard (Pike)	Rainer	Smith (Lee)
Edwards	Sample	White (Perry)
Kornegay		

—10.

Mr. Sample moved to reconsider the vote by which the bill S. 384 was passed, and on motion of Mr. John the motion to reconsider was laid upon the table.

REPORT OF COMMITTEE ON ENROLLED BILLS.**Mr. Speaker:**

Your committee on Enrolled Bills have examined the following House bills and beg leave to report the same correctly enrolled:

H. 1307. For the relief of tobacco dealers, other than dealers who conduct tobacco and cigar stands, who have

paid license tax under the bill approved March 7th, 1907, entitled an act to better provide for the revenue of the State.

H. 239. To repeal an act entitled an act to repeal section 1017 and section 1018 of the revised code of 1896, in so far as the same relates to Calhoun, Mobile, Etowah and Marion counties, approved March 1st, 1901, so far as the same relates to Marion county.

H. 1184. To amend an act entitled an act to prevent the running at large of stock in certain portions of Elmore county, approved February 18th, 1891.

H. 1291. An act for the relief of W. C. Evans, a confederate pensioner of Pickens county, Alabama.

H. 223. To repeal an act entitled an act to increase the criminal jurisdiction of justices of the peace and notaries public having like powers in Marion county and other counties, approved February 8, 1877, so far as the same relates to Marion county.

H. 1019. To fix the salary of the judge of the city court of Talladega county and to provide for the payment of the same.

H. 469. To amend section 12 of an act, to grant a new charter to The Alabama Girls Industrial School, approved March 4th, 1901, and to confer additional powers on the trustees of the school.

H. 1314. To abolish and close the dispensary at Headland, Henry county, Alabama.

H. 894. To prohibit any person who holds the office of justice of the peace or any other office where authority is given to issue warrants of arrest, from acting as attorney in cases where the complaint against the defendant was made before such person and the warrant of arrest was issued by him, in his official capacity.

H. 1356. For the relief of John Milford, an ex-confederate soldier.

H. 513. To fix the salary of the clerk of the adjutant general and to make appropriation for same.

H. 1209. To give to certified transcripts of validly executed instruments not properly acknowledged or proved, but that have been of record for twenty years, the same force and effect as transcripts of like instruments duly acknowledged and recorded.

H. 1012.. For the relief of Mary A. Gallaway, widow of an ex-confederate soldier, being a resident of Shelby county, Alabama.

H. 1085. To amend an act to establish a State live stock sanitary board and the office of State veterinarian in order to further protect live stock from contagious and infectious diseases and provide for eradicating and excluding such diseases from Alabama, approved March 12th, 1907.

H. 1238. To regulate dispensaries now operated, or which may be operated by municipalities in the county of Geneva; to prescribe and fix a license on each dispensary in addition to that already imposed under the general law; to provide for the payment of such license fee to the judge of probate of Geneva county, and to give the court of county commissioners power to disburse the fund created by such license, at its discretion, either in building, repairing or furnishing school houses and buildings exclusively for rural districts of Geneva county or for repairing the public roads of Geneva county, or for supplementing pensions to pensioners of the first class, or for all said purposes, and to provide a penalty for the failure to pay such license.

H. 1028. To repeal section 22 of an act to further amend the revenue laws of the State of Alabama, approved March 7th, 1907.

H. 1341. To prohibit the sale, giving away or otherwise disposing of spirituous, vinous, or malt liquors, intoxicating bitters, cordials or other intoxicating drinks or beverages within four miles of Pleasant Home Missionary Baptist church, Siloam Missionary Baptist Church or Ivey Creek Public School house, all in Crenshaw county, Alabama, to provide the time when it shall be in force, and to fix the punishment for the violation thereof.

H. 1234. To authorize and direct the court of county commissioners of Crenshaw county to pay for advertising the notice and substance of local bills introduced in the legislature for said county, out of any money in the treasury not otherwise appropriated, when the bill applies to the entire county and ordered published by the

representative of said county, and this act shall apply to, and include the notice and substance of bills advertised at and during the present session of the legislature.

H. 1066. To vacate and annul the dedication of the following highways and parts of highways, situated in Jefferson county, Alabama, to wit: all of Sadler avenue; the south half of Lucian avenue from centre of Emma street to center of Tallula street; all of Lucian avenue from center of Tallula street to eastern boundary of Ella street; all of Ella street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-five and north of center of Valley Creek canal; all of Tallula street lying south of center of Lucian avenue and north of center of Valley Creek canal; the east half of Tallula street lying between a continuation of the south line of the alley running easterly and westerly through block twenty-five and center of Lucian avenue; all of Emma street lying south of a continuation of the south line of the alley running easterly and westerly through block twenty-eight and north of the center of a Valley Creek canal; the east half of Emma street lying between the continuation of the south line of the alley running easterly and westerly through block twenty-eight and the center of Lucian avenue; and all the alleys in or through blocks twenty-nine, thirty, and thirty-one; all being located according to the survey, map and plan of Owenton, a map of which is recorded in map book two, at page twenty-six in the office of the probate judge of Jefferson county, Alabama.

H. 869. To authorize the town of Enterprise in Coffee county, Alabama, to buy and sell spirituous, vinous, and malt liquors, and to regulate the sale thereof.

H. 1376. To prohibit the sale, barter or exchange of spirituous, vinous, or malt liquors, or other intoxicating drinks, in Hale county, and to provide punishment of violator of said act.

H. 273. To fix the ex-officio fees of the clerks of the circuit court in the several counties of the State of Alabama, and to provide for the payment of same.

H. 812. To amend section (8) eight of an act entitled an act to amend reconstruct, and provide for the enforcement of, the laws relating to the public health.

H. 515. To abolish the county court of Morgan county, Alabama, and to annul its jurisdiction, which court is provided for in and by article 3, chapter 142 of the Code of Alabama, and to provide for the transfer of all the causes of every kind and discription pending in said court at the time of the approval of this act, together with all papers, records, processes and everything pertaining to such causes, pending in said court, by the clerk thereof to the Morgan county law and equity court.

H. 970. To prohibit the sale, giving away, or otherwise disposing of beer, whiskey, or other intoxicating drinks or beverages, within one mile of the Barkenville Baptist church, at Pritchard, in Mobile county, Alabama, and provide a penalty for a violation of this act.

1054. To require the court of county commissioners of Marion county, Ala., to use two mills each year of the two and one half mills now used for bridges for the improvement of the public roads of the county, through a public road superintendent or superintendents to be appointed by said court of county commissioners, which court shall fix their compensation to be paid out of said fund to allow all persons subject to road duty in said county to pay \$5.00, instead of working the ten days now required, and to provide how and when this law shall go into effect.

H. 1382. To amend an act entitled "An act to provide for an election by the qualified electors of Tuscaloosa county, to determine whether the sale, barter, exchange, giving away or otherwise disposing of, vinous, spirituous or malt liquors, intoxicating beverages, bitters and proprietary medicines shall be wholly prohibited in said county, and if a majority of said electors shall vote in favor of prohibition to prohibit the sale, barter, exchange, giving away, lending, delivering or otherwise disposing of spirituous, vinous or malt liquors, intoxicating beverages, bitters and proprietary medicines and to prohibit the shipping into said county

by any common carriers and the bringing into said county by any person for the use of any other person than himself, and such spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines from any place within this State, and to prohibit the taking or soliciting of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines in said county, and to prohibit the giving of orders for spirituous, vinous or malt liquors, intoxicating beverages, bitters or proprietary medicines by any person in said county over any telegraph or telephone line, and to provide penalties for all such prohibited acts.

H. 1303. An act to amend subdivision of section 1377 of the civil code, relating to compensation of sheriffs for ex-officio services.

H. 182.. To empower cities and towns to purchase and operate water works to provide for the issuance of their bonds in payment for the same and to provide for the securing of the unpaid purchase money for such water works.

H. 421. Providing for the survey and analysis and classification of soils of the State.

H.. 1379. To repeal an act to regulate the salaries of teachers in public schools outside of any incorporated towns in Walker county, Alabama, approved March 5th, 1901.

H. 1339. To exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively, or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property and which has not heretofore been manufactured for sale except such property as is devoted exxclusively to the manufacture of such article and to exempt from taxation the stock held by stock holders of such corporation.

H.. 1345. To amend sections 5 and 7 of an act entitled an act, to provide and establish a stock law for Lamar and Fayette counties so far as the same relates to Browns Precinct, No. 4, in Lamar county.

H. 565. To confer upon foreign municipal corporations of adjoining States the power and authority to acquire, own, take and dispose of property in the State of Alabama for the purpose of procuring water in this State for a municipal water supply; and also to confer upon such municipalities the power to contract to furnish a supply of water to any town, city or municipality of this State.

H. 271. To prevent the removal of ginner's tags from cotton bales and to provide a penalty therefor.

H. 1252. To fix the time of holding the circuit court in the county of Lawrence, in the Eighth judicial circuit of Alabama.

H. 235. To regulate hunting upon, or shooting in or across the enclosed field, pasture or other enclosure owned by or in possession of another, in Walker county, Alabama.

H. 1372. To fix the time when the tax collector and tax assessor of Walker county shall begin the round and to visit the several precincts of said county for the purpose of assessing and collecting taxes.

H. 1347. To allow the circuit clerk of Lamar county an assistant clerk.

H. 1141. To repeal an act entitled an act to increase and regulate the fine and forfeiture fund of Lee county and to provide for the payment of states witnesses out of the same, approved March 4th, 1901.

H. 930. To regulate the administration of the affairs of any municipal corporation which has been absorbed or its government extinguished by the alteration or re-arrangement of the boundary lines of another city or town.

H. 1310. To make an appropriation for the payment of sundry balances, and to provide for the completion of the improvements on the State capitol building.

H. 378. To amend sections 1321 and 1322 of the code of 1896, as amended by the act approved March 7th, 1907.

H. 34. To provide means for the extension of the corporate limits of cities having twenty-five thousand inhabitants or over, and exempting from city taxation

property brought within the corporate limits for certain periods of time and fixing the rights, powers, duties, liabilities and jurisdiction of the city over the territory brought into the corporate limits and the rights of the inhabitants thereof, including rights relating to public schools and to provide for the apportionment between city and county of the road and bridge tax collected by the county on property within the city, and the expenditure of the fund by the city.

H. 931. To regulate cities that alter or re-arrange their boundary lines so as to absorb one or more cities or towns, or extinguish the government of one or more cities or towns.

H. 558. To regulate the employment of child labor in certain mills, factories and manufacturing establishments in this State, and to provide for the inspection of the rooms, places and premises wherein they are worked and to adequately punish violations of this act.

H. 1083. To make an appropriation for furnishing and equipping certain of the offices and departments in the State capitol.

H. 674. To regulate the practice of medicine in the State of Alabama.

H. 35. To provide for the annexation and merger of any city or town into a contiguous city or town.

H. 625. To provide for and regulate the working of the public roads in Tallapoosa county, Alabama, and to punish defaulters who fail or refuse to work said roads.

H. 1390. To provide for the appointment of an official stenographer for the second judicial circuit of Alabama, and to prescribe his duties and to fix his compensation.

H. 786. To authorize the town of Brockton, in Coffee county, Alabama, to buy and sell spirituous, vinous and malt liquors, and to regulate the sale thereof.

H. 1169. To establish an inferior court in precinct No. 10 in Morgan county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of the peace in said precinct, and to define the jurisdiction and powers of said court and the judge thereof.

H. 1377. To provide for the construction, repairing, working and maintaining of the public roads of Henry county, Alabama, and to provide for the levying a special property and per capita tax for same, and for the punishment of defaulters.

H. 366. To provide for the establishment, maintenance and regulation of a dispensary for the sale of spirituous, vinous, malt liquors, ciders and other intoxicants in and for Fayette county, Alabama. .

J. S. Williams, Chairman.

SIGNING BILLS.

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present signed the bills, the titles to which are set out in the above and foregoing report of the standing committee on Enrolled Bills.

RESOLUTION.

By Mr. John:

H. R. 352. Resolved, that the House do now proceed to elect a Senator from the State of Alabama in the congress of the United States for the unexpired term ending March 3, 1909.

On motion of Mr. John the rules were suspended and the resolution was adopted.

ELECTION OF UNITED STATES SENATOR..

Notice of a vacancy in the Senate of the United States from Alabama having been received, and this being the second Tuesday after notice of such vacancy, said vacancy being caused by the death of the Honorable Edmund Winston Pettus, and in pursuance of a House Joint Resolution heretofore adopted, the hour of twelve o'clock having arrived, the Senate proceeded by a viva voce vote of each member present to name a person for

Senator in Congress for the Satte of Alabama to fill the unexpired term ending March 4th, 1909.

Mr. Bulger placed in nomination the name of Honorable Joseph F. Johnston, of Jefferson county, Alabama to succeed the Hon. Edmund Winston Pettus as United States Senator from Alabama for the term ending March 4th, 1909, and those who voted for Mr. Johnston are:

Messrs		
Speaker	Killen	Powell (Covington)
Arnold	King	Pratt
Arrington	Kornegay	Price
Avery	Lacy (Dallas)	Pugh
Ballard (Autauga)	Lacy (Walker)	Ragsdale
Ballard (Pike)	Lancaster	Rainer
Baltzell	Lawson	Rattray
Barton	Lee (Barbour)	Rice
Benners	Lee (Etowah)	Rowe
Bloch	Lee (Houston)	Rushton
Brown	Lindsey	Sample
Bulger	Long (Butler)	Sanders
Burney	Long (Morgan)	Sanford
Cannon	Lovelady	Scale
Carmichael (Clay)	Lyons	Sherrod
Coleman (Marshall)	Malone	Smith (Elmore)
Crum	Maner	Smith (Etowah)
Doyle (Marengo)	Mastin	Smith (Franklin)
Edwards	Middleton	Smith (Lee)
Elrod	Mitchell	Steagall
Foster	Moore	Thompson
Fuller	McDuffie	Tunstall
Glover	McMillan	Turner
Goodwyn	Norville	Urquhart
Gunter	Parker	Vann
Haley	Pearson	Weaver
Henley	Peete	White (Lamar)
Hughston	Pitts (Dallas)	White (Perry)
John	Pitts (Perry)	Williams
Jones	Powell (Bullock)	Woolf

Being a majority of the whole number of votes cast in the House of Representatives.

RESOLUTION.

By Mr. John :

H. R. 353. Resolved, That the House do now proceed to elect a Senator from the State of Alabama in the Congress of the United States for the term of six years beginning on March 4, 1909.

On motion of Mr. John the Rules were suspended and the Resolution was adopted.

ELECTION OF UNITED STATES SENATOR.

Notice of a vacancy in the Senate of the United States from Alabama caused by the death of the late Hon. Edmund Winston Pettus having been received, and this being the second Tuesday after notice of such vacancy, and in pursuance of a House Joint Resolution heretofore adopted, the hour of twelve o'clock having arrived, the Senate proceeded by a viva voce vote of each member present to name a person for Senator in Congress for the State of Alabama to fill the vacancy for the term beginning March 4th, 1909.

Mr. Lyons placed in nomination the name of Hon. Joseph F. Johnston of Jefferson county, Alabama, to succeed the Hon. Edmund Winston Pettus as United States Senator from Alabama for the term beginning March 4th, 1909, and those who voted for Mr. Johnston are:

Messrs:—

Speaker	Bloch	Crum
Arrington	Brown	Doyle (Marengo)
Avery	Bulger	Edwards
Ballard (Autauga)	Burney	Elrod
Ballard (Pike)	Cannon	Fuller
Baltzell	Carmichael (Clay)	Glover
Barton	Coleman (Marshall)	Goodwyn
Benners	Cranford	Gunter

Haley	Malone	Rowe
Henley	Maner	Rushton
Hughston	Mastin	Sanders
John	Mitchell	Sherrod
Jones	Moore	Smith (Elmore)
Killen	McDuffie	Smith (Etowah)
King	McMillan	Smith (Franklin)
Kernegay	Norville	Smith (Lee)
Lacy (Dallas)	Parker	Steagall
Lacy (Walker)	Pearson	Thompson
Lancaster	Pitts (Dallas)	Tunstall
Lawson	Pitts (Perry)	Urquhart
Lee (Barbour)	Powell (Covington)	Vann
Lee (Etowah)	Pratt	Weaver
Lindsey	Price	White (Lamar)
Long (Butler)	Pugh	White (Perry)
Long (Morgan)	Ragsdale	Williams
Lovelady	Rainer	Woolf
Lyons	Rice	

—80.

Being a majority of the whole number of votes cast in the House of Representatives.

GOVERNOR'S MESSAGE.

To the House of Representatives:

In accordance with your request by joint resolution, I herewith return H. B. 133 entitled an act to amend an act entitled an act to re-establish an inferior court in precincts 21 and 37 Jefferson county county, Alabama, in lieu of all justices of the peace and notaries public with powers of justices of peace in said precincts and to define the jurisdiction and powers of said court and the judges thereof, approved September 26th, 1903.

B. B. Comer, Governor.

August 6, 1907.

RESOLUTION.

Mr. Glover offered the following resolution:

H. J. R. 354. Be it resolved by the Legislature of Alabama that the Speaker of the House and the President

of the Senate be and they are hereby requested to erase their signatures from the bill, H. 133, in order that the same may be correctly enrolled.

On motion of Mr. Glover, the rules were suspended and the resolution was adopted.

GOVERNOR'S MESSAGE.

On motion of Mr. Lee of Houston, the House concurred in and adopted the amendment proposed by the Governor to the bill H. 810, said Governor's amendment being as follows:

To the House of Representatives:

I herewith return H. B. No. 810 entitled "an act to establish a board of revenue for Houston county." I suggest the following amendments thereto, viz: 1. Amend said bill by striking out from section three thereof the following words, "to have exclusive control of the convict labor of the county and the disbursement of the proceeds of the same."

2. By striking out from section seven of the bill the following words, viz: "to report to said board all infractions of the revenue law in said county of which he can obtain authentic information"; and by inserting in said section immediately after the words "reasonable compensation," the following words: "not exceeding three dollars per day nor more than one hundred dollars per year." Further amend said section seven of the bill by adding thereto at the end thereof the following words, "provided that nothing in this section or in this act contained shall in any wise abridge, alter or affect the power, duties, or jurisdiction granted by law to the State tax commission, its agents or officers, or the county tax commissioner of Houston county."

B. B. Comer, Governor.

August 6, 1907.

Yeas, 65; nays, 0.

Yeas:

Messrs:—

Arnold	Gunter	Pearson
Avery	Haley	Peete
Ballard (Autauga)	Hoffman	Pitts (Dallas)
Baltzell	Hughston	Pitts (Perry)
Barton	John	Powell (Bullock)
Benners	Jones	Pugh
Bloch	Killen	Rainer
Brown	Kornegay	Rattray
Bulger	Lacy (Dallas)	Rice
Burney	Lancaster	Rushton
Cannon	Lawson	Sanders
Carmichael (Clay)	Lee (Barbour)	Sherrod
Coleman (Marshall)	Lee (Houston)	Smith (Elmore)
Cooper	Lovelady	Smith (Etowah)
Crum	Malone	Smith (Franklin)
Doyle (Marengo)	Maner	Smith (Lee)
Edwards	Mastin	Thompson
Elrod	Mitchell	Turner
Foster	Moore	Urquhart
Fuller	McCrary	Vann
Glover	McMillan	White (Lamar)
Goodwyn	Parker	Woolf

—65.

BILL ON THIRD READING.

S. 131. To submit to the qualified electors of the State, at the general election to be held on the first Tuesday after the first Monday in November, 1908, for two associate justices of the supreme court, for their consideration an amendment to sections 46 and 48 of article 4 of the constitution so as to provide for biennial sessions of the legislature.

Was read a third time at length and lost.

Yeas, 62; nays, 30.

Yeas:

Messrs:—

Speaker	Barton	Bulger
Avery	Brown	Burney

Cannon	Lacy (Dallas)	Pugh
Carmichael (Clay)	Lancaster	Ragsdale
Coleman (Marshall)	Lawson	Rainer
Crum	Lee (Barbour)	Rattray
Doyle (Marengo)	Long (Butler)	Rowe
Edwards	Maner	Hashten
Elrod	Mastin	Sanders
Glover	Mitchell	Seale
Goodwyn	Moore	Smith (Elmore)
Gunter	McCrory	Smith (Etowah)
Haley	McDuffie	Smith (Franklin)
Henley	McMillan	Smith (Lee)
Hughston	Norville	Steagall
John	Pearson	Turner
Jones	Peete	Urquhart
Killen	Pitts (Dallas)	Vann
King	Pitts (Perry)	Williams
Kirby	Powell (Covington)	Woolf
Kornegay	Pratt	

—62.

Nays:

Messrs:—

Arnold	Fuller	Malone
Arrington	Hoffman	Middleton
Ballard (Autauga)	Jenkins	Parker
Ballard (Pike)	Lacy (Walker)	Rice
Baltzell	Lee (Etowah)	Sample
Benners	Lee (Houston)	Sanford
Bloch	Lindsey	Sherrod
Cooper	Long (Morgan)	Tunstall
Cranford	Lovelady	Weaver
Foster	Lyons	White (Lamar)

—30.

ADJOURMENT.

The House of 1 o'clock having arrived, under a resolution heretofore adopted, the House recessed until 3 p. m.

AFTERNOON SESSION.

The hour of 3 p. m. having arrived, the House reconvened.

PRIVILEGES OF THE FLOOR.

Was extended to Hon. E. L. Russell of Mobile for today.

RECOMMITTAL OF BILL.

On motion of Mr. Lyons, the bill S. 559 was taken from the adverse calendar and recommitted to the standing committee on Local Legislation.

RESOLUTIONS.

The following resolution was introduced and referred to the committee on rules:

By Mr. Arnold:

H. R. 355. Resolved, That S. B. 150 "To regulate the running of automobiles" be made a special continuing paramount order immediately after the disposition of S. 131,—on Wednesday, Aug. 7.

BILL ON SECOND READING.

Mr. Haley, chairman of the standing committee on Local Legislation, reported that said committee, in session, had acted on the following bill and ordered the same returned to the House with a favorable report:

S. 559. To refund to Charles Bassett, Guss Bassett, D. J. O'Connell and T. L. Baker, or their heirs, the sum of three hundred and forty dollars, being purchase money for certain lands heretofore erroneously sold to them by the State of Alabama.

The above bill was read a second time and placed on the calendar.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills:

S. 441. To amend section one of an act "to prohibit, regulate and restrict the sale or other disposition of in-

toxicating liquors, drinks or beverages within the State of Alabama by providing for elections in the various counties of the State to determine whether the sale or other disposition of such intoxicating liquors, drinks or beverages shall be so prohibited, regulated and restricted."

S. 471. To amend section one of an act approved December 7, 1896, entitled an act to amend section one of an act entitled an act to protect the fish in Deer river, East Fowl river, West Fowl river, Little river and the tributaries of those streams in Mobile county, approved February 18, 1895.

S. 487. To authorize incorporated cities and towns in this State which have within their corporate limits ancient, private or family cemeteries or burial grounds to contract for their care and maintenance.

S. 530. To repeal an act entitled an act to abolish the county court of Marion county, approved February 1st, 1895, and to provide for a county court hereafter in Marion county Alabama, under the code as heretofore.

S. 542. To provide for the construction, repairing, working and maintenance of the public roads and bridges of Madison county.

S. 567. To authorize incorporated towns and cities of Tuscaloosa county to establish, maintain and operate dispensaries, and in and through such dispensaries to buy and sell spirituous, vinous and malt liquors, and to prohibit and punish the selling of liquors and intoxicating drinks in said county in any other way than by such municipal corporations through their dispensaries; to declare that the violation of certain provisions of this act shall be a misdemeanor and to provide for the punishment thereof; to further regulate the sale of liquors in said county; and to repeal an act entitled an act to authorize all incorporated towns and cities in Tuscaloosa county to buy and sell spirituous, vinous and malt liquors, and to provide for the distribution of certain profits arising therefrom, and to further regulate or prohibit the sale of such liquors in said county, approved on the 27th day of February, 1901; this act not being

intended however to repeal or affect any existing law under which the sale of liquors in said county may hereafter be prohibited.

S. 583. To authorize the court of county commissioners of Perry county, Alabama, to fix the ex-officio fees of the sheriff of said county.

S. 476. To amend section 3 of an act entitled an act to protect and regulate the time and manner of catching and taking fish from and in the waters of the State of Alabama in the counties of Mobile and Baldwin, approved February 9, 1891.

Your signature thereto is requested.

J. A. Kyle, Secretary.

SIGNING BILLS.

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the clerk the reading at length having been dispensed with by a two-thirds vote of a quorum present signed the bills the titles to which are set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended as therein shown and as thus amended has passed House bill:

H. 1206. To make an enumeration, or census, of the confederate soldiers residing in the State of Alabama, and to provide for the payment therefor.

And returns same herewith to the House.

J. A. Kyle, Secretary..

SENATE MESSAGE.

On motion of Mr. John, the House concurred in the Senate amendment to the bill, H. 1206; said Senate amendment being as follows:

Amend by striking out "State" and insert the word "Legislature."

Yeas, 63; nays, 0.

Yeas:

Messrs:—

Speaker	Henley	Pratt
Arnold	John	Price
Avery	Johnson	Pugh
Ballard (Autauga)	Jones	Ragsdale
Ballard (Pike)	Killen	Rainer
Baltzell	King	Rattray
Barton	Kirby	Rice
Benners	Lancaster	Rowe
Bloch	Lawson	Rushton
Brown	Lee (Barbour)	Sanders
Bulger	Lee (Houston)	Sanford
Burney	Long (Butler)	Sherrod
Cannon	Long (Morgan)	Smith (Elmore)
Carmichael (Clay)	Malone	Smith (Franklin)
Coleman (Marshall)	Moore	Smith (Lee)
Cooper	McDuffie	Tunstall
Cranford	McMillan	Vann
Doyle (Marengo)	Pearson	Weaver
Edwards	Peete	White (Lamar)
Elrod	Pitts (Perry)	White (Perry)
Glover	Powell (Bullock)	Woolf

—63.

BILLS ON THIRD READING.

S. 363. To amend section 2240 of the code of Alabama of 1896, and to appropriate the sum of six hundred dollars for the secretary of the senate and the clerk of the house, respectively, for filing and arranging the papers of their respective houses in the office of the secretary of state and copy and deliver to the public printer the journals of their respective houses, with proper indexes thereto.

Was read a third time at length and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	Ballard (Pike)	Brown
Avery	Barton	Carmichael (Clay)
Ballard (Autauga)	Benners	Coleman (Marshall)

Doyle (Marengo)	Lee (Houston)	Rowe
Edwards	Long (Morgan)	Rushton
Foster	Lovelady	Sanders
Fuller	Malone	Sanford
Glover	Maner	Sherrod
Goodwyn	Middleton	Smith (Franklin)
Gunter	Moore	Smith (Lee)
Haley	McCrary	Tunstall
Henley	Parker	Turner
John	Pearson	Urquhart
Jones	Pratt	Vann
Kirby	Price	Weaver
Lancaster	Pugh	White (Lamar)
Lawson	Rattray	White (Perry)
Lee (Etowah)	Rice	Woolf

—54.

S. 513. To amend an act to provide for the inspection of jails and alms houses and cotton mills or factories approved March 4, 1907, by adding section 12, to provide for a clerk to the inspector and for office expenses of the inspector.

Was taken up.

The question was upon the adoption of the substitute reported by the standing committee on Judiciary, said substitute being as follows:

A BILL

To be entitled an act to amend an act to provide for the inspection of jails, and alms houses, and cotton mills, by adding section 12, to provide stationery and for office expenses.

Section 1. Be it enacted by the Legislature of Alabama: That an act to provide for the inspection of jails and alms houses and cotton mills or factories, approved March 4, 1907, be amended by adding thereto this section:

12. All stationery, furniture, and other office supplies shall be furnished to the office of the Inspector, as

such supplies are now furnished to other officers in the capitol.

And the substitute was adopted.

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Parker
Ballard (Autauga)	Henley	Pearson
Ballard (Pike)	Hughston	Peete
Barton	John	Pratt
Benners	Jones	Price
Bloch	Kirby	Pugh
Brown	Lawson	Rainer
Bulger	Lee (Barbour)	Rushton
Burney	Lee (Etowah)	Sanford
Cannon	Long (Butler)	Sherrod
Crum	Long (Morgan)	Smith (Franklin)
Doyle (Marengo)	Maner	Smith (Lee)
Edwards	Mastin	Tunstall
Elrod	Mitchell	Turner
Foster	Moore	Weaver
Fuller	McCrory	White (Lamar)
Glover	McDuffie	White (Perry)
Goodwyn	McMillan	Woolf
Gunter		

—55.

And, the bill:

S. 513. To amend an act to provide for the inspection of jails and alms houses and cotton mills or factories approved March 4, 1907, by adding section 12, to provide for a clerk to the inspector and for office expenses of the inspector.

As amended by the substitute,

Was read a third time, at length and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Ballard (Autauga)	Bloch
Arnold	Ballard (Pike)	Brown
Arrington	Barton	Bulger
Avery	Benners	Burney

Cannon	John	McDuffie
Carmichael (Clay)	Johnson	McMillan
Cooper	Jones	Parker
Cranford	King	Peete
Crum	Kornegay	Powell (Bullock)
Doyle (Marengo)	Lacy (Dallas)	Power
Edwards	Lancaster	Pugn
Elrod	Lawson	Ralner
Fuller	Lee (Etowah)	Rattray
Glover	Lindsey	Rice
Goodwyn	Long (Butler)	Rowe
Gunter	Lyons	Rushton
Haley	Malone	Sanford
Henley	Maner	Smith (Elmore)
Hoffman	Mastin	Smith (Lee)
Hughston	Mitchell	White (Perry)
Jenkins	McCrory	

—62.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended as therein shown and as thus amended has passed House bill:

H. 987. To impose a license tax on all dogs over four months of age in the State of Alabama and to enforce the collection thereof; and to provide that all taxes and penalties collected under the provisions of this act shall be paid into the public school fund of the county in which said taxes and penalties are collected.

And has passed the following House bill:

H. 1094. To amend sections 1 and 4 of an act to appropriate annually \$67,000.00 or so much thereof as is necessary, to aid rural school districts in the State to erect or repair public school houses, approved March 2, 1907.

And returns same to the House and has concurred in the House amendments to,

S. 384. To provide for the establishment of high schools in this State, and to make appropriations for said schools.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Arnold the House non-concurred in the Senate amendment to the bill H. 987.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in and adopted, the governor's amendment to,

H. 1044. To alter or change the boundary line between the counties of Etowah and Calhoun, in the State of Alabama, and as altered to establish the same.

Yeas, 31; nays, 0.

Which was a majority of the whole number elected to the Senate.

And returns same to the House.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in H. J. R. 353.

Relative to the erasure of the signatures of the President of the Senate and Speaker of the House from House bill No. 133.

J. A. Kyle, Secretary.

ERASURE OF SIGNATURE.

The Speaker of the House in the presence of the House erased his signature from the bill H. 133.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by the governor to H. B. 810.

To establish a board of revenue for Houston county.

Yeas, 25; nays, 2.

Which was a majority of the whole number elected to the Senate.

J. A. Kyle, Secretary.

BILL ON THIRD READING.

S. 343. To require and regulate the giving of bills of lading or receipts for property received by any common carrier, railroad or transportation company for transportation, originating and terminating within this State, and to fix the liability of the initial carrier for any loss, injury or damage to such property, and prohibit the limitation of such liability by contract.

Was read a third time, at length, and passed.

Yeas, 56; nays, 4.

Yeas:

Messrs:—

Speaker	Killen	Pitts (Perry)
Arnold	King	Powell (Bullock)
Avery	Kirby	Powell (Covington)
Baltzell	Kornegay	Price
Barton	Lacy (Walker)	Pugh
Benners	Lancaster	Rainer
Brown	Lawson	Rice
Burney	Lee (Barbour)	Rushton
Cannon	Lee (Houston)	Sample
Carmichael (Clay)	Lindsey	Sanders
Cooper	Long (Butler)	Sanford
Cranford	Long (Morgan)	Seale
Crum	Lyons	Sherrod
Doyle (Marengo)	Mitchell	Smith (Elmore)
Fuller	Moore	Smith (Franklin)
Henley	McCrary	Smith (Lee)
Hoffman	McMillan	Turner
John	Pearson	Urquhart
Jones	Peete	

—56.

Nays:

Messrs:—

Hughston	McDuffie	Pitts (Dallas)
Lacy (Dallas)		

—4.

MESSAGE FROM THE SENATE.

Mr. Speaker:

In accordance with H. J. R. 353, the President of the Senate, in the presence of the Senate, has erased his signature from the bill, H. 133.

J. A. Kyle, Secretary.

RECONSIDERATION.

Mr. Crawford moved to reconsider the vote by which the bill, S. 131, was lost, and the motion prevailed.

Mr. Long, of Butler, moved that the further consideration of the bill, S. 131, be postponed until tomorrow morning, and that it be made a paramount special order immediately after the approval of the journal.

Mr. Lee, of Etowah, moved to table the motion of Mr. Long, of Butler, and the motion was lost.

Yeas, 20; nays, 69.

Yeas:

Messrs:—

Arnold	Lee (Houston)	Sample
Arrington	Lindsey	Sherrod
Benners	Long (Morgan)	Smith (Franklin)
Bloch	Lyons	Tunstall
Foster	Parker	Weaver
Fuller	Powell (Bullock)	White (Lamar)
Lee (Etowah)	Rice	

—20.

Nays:

Messrs:—

Speaker	Carmichael (Clay)	Gunter
Avery	Coleman (Marshall)	Haley
Ballard (Autauga)	Cooper	Henley
Ballard (Pike)	Cranford	Hoffman
Baltzell	Crum	Hughston
Barton	Doyle (Marengo)	Jenkins
Brown	Edwards	John
Bulger	Elrod	Jones
Burney	Glover	Killen
Cannon	Goodwyn	King

Kirby	McDuffie	Rowe
Kornegay	McMillan	Rushton
Lacy (Dallas)	Pearson	Sanders
Lancaster	Peete	Sanford
Lawson	Pitts (Perry)	Seale
Lee (Barbour)	Powell (Covington,	Smith (Elmore)
Long (Butler)	Power	Smith (Lee)
Malone	Pratt	Steagall
Maner	Price	Turner
Mastin	Pugh	Urquhart
Middleton	Ragsdale	Vann
Mitchell	Rainer	White (Perry)
Moore	Ratray	Wolff

—69.

And the motion of Mr. Long, of Butler, prevailed.

BILLS ON THIRD READING.

S. 398. To further prescribe the powers of the railroad commission of Alabama and to authorize it to change any classification of railroads or of any articles of freight, or any rates or charges for the transportation of freight or passengers which have been, or which may hereafter be, prescribed by statute, or any prevailing rates or charges for such transportation which have been, or which may hereafter be, by statute made the maximum rates.

Was read a third time, at length, and passed.

Yeas, 61; nays, 0.

Yeas:

Messrs:—

Speaker	Burney	Fuller
Arrington	Cannon	Glover
Avery	Carmichael (Clay)	Gunter
Ballard (Autauga)	Coleman (Marshall)	Haley
Ballard (Pike)	Cranford	Hoffman
Barton	Crum	John
Benners	Doyle (Marengo)	Jones
Brown	Edwards	Killen
Bulger	Elrod	King

Kornegay	McMillan	Rushton
Lancaster	Pearson	Sanders
Lawson	Peete	Smith (Elmore)
Lee (Barbour)	Pitts (Perry)	Smith (Lee)
Long (Butler)	Powell (Bullock)	Thompson
Lovelady	Powell (Covington)	Tunstall
Malone	Power	Turner
Maner	Pratt	Urquhart
Mastin	Pugh	Vann
Mitchell	Ragsdale	Williams
Moore	Rice	Woolf
McCrory		

—61.

S. 399. To amend sections 2, 3, and 4 of an act entitled "An act to regulate railroads and other common carriers in this State, to secure reasonable rates and adequate service and prevent unjust discrimination in their public service, and prescribe penalties for violation thereof," approved February 23, 1907.

Was read a third time, at length, and passed.

Yeas, 64; nays, 0.

Yeas:

Messrs:—

Arnold	Elrod	Maner
Arrington	Fuller	Middleton
Avery	Glover	Mitchell
Ballard (Autauga)	Gunter	Moore
Ballard (Pike)	Haley	McCrory
Barton	John	McMillan
Benners	Jones	Pearson
Brown	Killen	Peete
Bulger	King	Pitts (Dallas)
Cannon	Kornegay	Pitts (Perry)
Carmichael (Clay)	Lancaster	Powell (Bullock)
Coleman (Marshall)	Lawson	Powell (Covington)
Cooper	Lee (Barbour)	Price
Cranford	Lindsey	Pugh
Crum	Long (Butler)	Rainer
Doyle (Marengo)	Long (Morgan)	Ratray
Edwards	Lyons	Rice

Rowe	Smith (Elmore)	Turner
Rushton	Smith (Franklin)	Urquhart
Sanders	Smith (Lee)	Vann
Seale	Steagall	Woolf
Sherrod		

—64.

GOVERNOR'S MESSAGE.

On motion of Mr. Arrington, the House concurred in and adopted the amendment proposed by the governor to the bill, H. 1165, said governor's amendment being as follows:

Chief Executive Department, Alabama.

To the House of Representatives:

It has been suggested to me that Sec. 1 of House bill 1165 is probably unconstitutional—said bill being entitled an act to amend an act entitled an act to establish a separate school district in Coffee county, Alabama, and to provide for the management of the public schools in said district, approved Feb. 28, 1901, as amended by an act approved Sept. 28, 1903;—I herewith return said bill and suggest the following amendment thereto, which will remove the objection, viz.:

1. Amend Sec. 1 of the bill by striking out the words "That the State superintendent of education shall apportion and pay over at the beginning of each fiscal year of the State to the treasurer of the town of Elba," and by substituting therefor the following words: "The county board of education shall apportion to the town of Elba the school funds in the same manner that the funds are apportioned to other districts and the county superintendent shall pay to the treasurer of the town of Elba."

B. B. Comer, Governor.

Yeas, 58; nays, 0.

Yeas:

Messrs:—

Arnold	Ballard (Autauga)	Barton
Arrington	Ballard (Pike)	Benners
Avery	Baltzell	Bloch

Brown	Henley	Maner
Bulger	Hughston	Mitchell
Burney	Jenkins	Moore
Cannon	John	McCrory
Carmichael (Clay)	Johnson	McMillan
Coleman (Marshall)	Jones	Parker
Cranford	Killen	Pitts (Perry)
Crum	Kirby	Price
Doyle (Marengo)	Kornegay	Rainer
Edwards	Lacy (Dallas)	Rice
Elrod	Lacy (Walker)	Rowe
Foster	Lancaster	Smith (Elmore)
Fuller	Lee (Barbour)	Smith (Franklin)
Glover	Lindsey	Smith (Lee)
Goodwyn	Long (Butler)	Urquhart
Gunter	Lovelady	Vann
Haley		

—58.

S. 520. To amend an act entitled "An act to create a railroad commission to be known as the "Railroad Commission of Alabama," define its duties and powers and provide for its mode of procedure and prescribe penalties for violation of its orders," approved the 23d day of February, 1907.

Was taken up. Mr. Tunstall offered the following amendment to the bill:

"Amend by adding at end of section 1, by adding at end thereof "and also all telegraph and telephone lines operating in more than one city or town."

And the amendment was adopted.

Yeas, 53; nays, 1.

Yeas:

Messrs:—

Speaker	Benners	Cranford
Arnold	Brown	Doyle (Marengo)
Arrington	Bulger	Edwards
Avery	Burney	Fuller
Ballard (Autauga)	Cannon	Glover
Baltzell	Carmichael (Clay)	Goodwyn
Barton	Cooper	Gunter

Hoffman	Mitchell	Rowe
Jones	Moore	Seale
Kornegay	McCrory	Sherrod
Lacy (Walker)	McMillan	Smith (Franklin)
Lancaster	Pearson	Smith (Lee)
Lawson	Pitts (Dallas)	Steagall
Lindsey	Pitts (Perry)	Tunstall
Long (Butler)	Pratt	Turner
Long (Morgan)	Pugh	Urquhart
Malone	Rainer	Williams
Maner	Rice	

—53..

Nays:

Mr. Weaver

—1.

And the bill:

S. 520. To amend an act entitled "An act to create a railroad commission to be known as the "Railroad Commission of Alabama," define its duties and powers and provide for its mode of procedure and prescribe penalties for violation of its orders," approved the 23d day of February, 1907.

As amended, was read a third time, at length, and passed.

Yeas, 54; nays, 1.

Yeas:

Messrs:—

Speaker	Hoffman	Mitchell
Ballard (Autauga)	Hughston	Moore
Baltzell	Jones	McCrory
Barton	King	McMillan
Bulger	Kirby	Peete
Burney	Kornegay	Pitts (Perry)
Cannon	Lacy (Dallas)	Powell (Bullock)
Carmichael (Clay)	Lacy (Walker)	Powell (Covington)
Cooper	Lancaster	Power
Doyle (Clark)	Lawson	Pratt
Edwards	Lee (Barbour)	Price
Elrod	Long (Butler)	Pugh
Fuller	Lovelady	Rice
Haley	Malone	Rowe

Rushton	Smith (Franklin)	Turner
Sanford	Smith (Lee)	Weaver
Sherrod	Steagall	White (Lamar)
Smith (Elmore)	Tunstall	Williams

—54.

Nays:

Mr. Pitts (Dallas)

—1.

S. 603. To reimburse the governor's contingent fund the amount expended therefrom in paying the funeral expenses of the late William L. Martin, who at the time of his death was Speaker of the House of Representatives, and to make an appropriation therefor.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Goodwyn	Peete
Arnold	Haley	Pitts (Dallas)
Avery	Henley	Powell (Bullock)
Ballard (Autauga)	Hughston	Pratt
Ballard (Pike)	John	Price
Baltzell	Jones	Pugh
Benners	Killen	Rushton
Bloch	Kirby	Sanford
Brown	Kornegay	Sherrod
Bulger	Lacy (Dallas)	Smith (Franklin)
Cannon	Lacy (Walker)	Smith (Lee)
Carmichael (Clay)	Lancaster	Steagall
Coleman (Marshall)	Lindsey	Turner
Cooper	Long (Butler)	Urquhart
Doyle (Marengo)	Maner	Vann
Dudley	Mitchell	Weaver
Edwards	Moore	White (Lamar)
Foster	McCrory	White (Perry)
Fuller	McMillan	Williams

—57.

S. 347. To establish and maintain a State sanatorium for consumption and tuberculosis, and to provide for disseminating information upon the nature, treat-

ment and cure of tubercular diseases, and to make appropriations therefor.

Was taken up. Mr. John offered the following amendment to the bill:

Amend section 11, by striking out the whole of the second sentence thereof beginning with the words: "The board of such indigent inmates"—and ending with the words: "paid by said county," and further amend section 11 by resorting thereto the last eight lines in the original bill, beginning with the words: "The trustees" and ending with the words "board of trustees."

Amend section 13, by adding thereto these words: "All of the sum appropriated for the year ending on the 30th day of September, 1907, may be paid after that date and shall be available till used by the trustees for the purposes for which it was appropriated."

And the amendment was adopted.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	King	Peete
Avery	Kirby	Pitts (Dallas)
Bloch	Kornegay	Pitts (Perry)
Burney	Lacy (Dallas)	Powell (Bullock)
Carmichael (Clay)	Lacy (Walker)	Pratt
Cranford	Lancaster	Price
Crum	Lawson	Pugh
Doyle (Marengo)	Lee (Barbour)	Rainer
Edwards	Lee (Etowah)	Rice
Elrod	Lindsey	Rowe
Fuller	Long (Butler)	Rushton
Glover	Lovelady	Seale
Gunter	Lyons	Sherrod
Haley	Middleton	Smith (Franklin)
Henley	Mitchell	Smith (Lee)
Hoffman	Moore	Tunstall
Hughston	McCrory	Urquhart
John	McMillan	Vann
Jones	Parker	White (Lamar)

57.
Commissioner of the Governor

And the bill:

S. 374. To establish and maintain a State sanatorium for consumption and tuberculosis, and to provide for disseminating information upon the nature, treatment and cure of tubercular diseases, and to make appropriations therefor.

As amended, was read a third time, at length, and passed.

Yeas, 61; nays, 2.

Yeas:

Messrs:—

Speaker	Kirby	Pratt
Arnold	Kornegay	Price
Avery	Lacy (Walker)	Pugh
Ballard (Antauga)	Lancaster	Ragsdale
Benners	Lawson	Rainer
Block	Lee (Barbour)	Rice
Brown	Lee (Houston)	Rowe
Burney	Long (Butler)	Rushton
Carmichael (Clay)	Malone	Sanders
Cranford	Maner	Seale
Doyle (Marengo)	Mastin	Sherrod
Edwards	Mitchell	Smith (Franklin)
Glover	Moore	Smith (Lee)
Goodwyn	McCrory	Tunstall
Gunter	Parker	Turner
Haley	Pearson	Urquhart
Henley	Peete	Vann
Hoffman	Pitts (Dallas)	White (Lamar)
Hughston	Powell (Bullock)	White (Perry)
John	Power	Williams
King		

—61.

Nays:

Messrs:—

Elrod	Killen
-------	--------

—2.

S. 600. To make an appropriation for the erection of monuments commemorating the heroic deeds of Alabama's sons, to be expended by the Alabama Monument Commission, with the approval of the governor.

Was read a third time, at length, and passed.
Yeas, 59; nays, 11.

Yeas:

Messrs:—

Speaker	Henley	Pitts (Perry)
Arnold	John	Power
Arrington	Killen	Price
Avery	Kornegay	Pugh
Ballard (Autauga)	Lacy (Dallas)	Ragsdale
Ballard (Pike)	Lacy (Walker)	Rainer
Barton	Lancaster	Rice
Benners	Lawson	Rowe
Brown	Lee (Houston)	Sample
Burney	Lindsey	Sanford
Carmichael (Clay)	Lovelady	Seale
Coleman (Marshall)	Maner	Smith (Elmore)
Doyle (Marengo)	Mastin	Smith (Franklin)
Edwards	Middleton	Tunstall
Elrod	Mitchell	Turner
Foster	Moore	Urquhart
Glover	McCrary	Vann
Goodwyn	Parker	White (Lamar)
Gunter	Peete	Wolff
Haley	Pitts (Dallas)	

—59.

Nays:

Messrs:—

Hughston	Powell (Bullock)	Sanders
Long (Butler)	Powell (Covington)	Sherrod
Malone	Pratt	Weaver
McDuffie	Rushton	

—11.

S. 497. To provide that no license or tax of any character shall be required by State, county or municipality from the Tennessee Valley Fair Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

Was read a third time, at length, and passed.
Yeas, 57; nays, 7.

Yeas:

Messrs:—

Speaker	Glover	Peete
Arnold	Goodwyn	Powell (Covington)
Arrington	Haley	Price
Avery	Hoffman	Pugh
Ballard (Autauga)	John	Rainer
Baltzell	Killen	Rice
Barton	Kornegay	Rowe
Benners	Lacy (Walker)	Sanders
Bloch	Lawson	Sanford
Brown	Lovelady	Seale
Bulger	Maner	Smith (Elmore)
Carmichael (Clay)	Mastin	Smith (Franklin)
Coleman (Marshall)	Middleton	Turner
Cranford	Mitchell	Urquhart
Doyle (Marengo)	Moore	Vann
Edwards	McCrory	White (Perry)
Foster	McDuffie	Woolf
Fuller		

—57.

Nays:

Messrs

Cannon	Long (Butler)	Sherrod
Lee (Houston)	Rushton	Smith (Lee)
Lindsey		

—7.

S. 150. To regulate the running of automobiles or traction engines or portable engines on the public highways in the State of Alabama and to fix the liability of any owner or person running or operating an automobile or traction engine or portable engine over or along the public highways in this State for any injury done to persons or property, and to provide a penalty for the violation of the provisions of this act.

Mr. Urquhart moved to table the bill, S. 150, and the motion to table was lost.

And the bill:

S. 150. To regulate the running of automobiles or traction engines or portable engines on the public high-

ways in the State of Alabama and to fix the liability of any owner or person running or operating an automobile or traction engine or portable engine over or along the public highways in this State for any injury done to persons or property, and to provide a penalty for the violation of the provisions of this act.

Was read a third time, at length, and passed.

Yeas, 52; nays, 13.

Yeas:

Messrs:—

Speaker	Fuller	Moore
Arnold	Glover	Parker
Avery	Henlev	Peete
Ballard (Autauga)	Hughston	Pitts (Perry)
Ballard (Pike)	John	Powell (Bullock)
Baltzell	King	Powell (Covington)
Benners	Kornegay	Power
Brown	Lacy (Dallas)	Price
Burney	Lacy (Walker)	Rainer
Cannon	Lancaster	Rice
Carmichael (Clay)	Lawson	Rowe
Coleman (Marshall)	Lee (Barbour)	Rushton
Cooper	Lee (Houston)	Sherrod
Cranford	Long (Butler)	Smith (Elmore)
Doyle (Marengo)	Malone	Smith (Franklin)
Edwards	Maner	Smith (Lee)
Elrod	Mitchell	Tunstall
Foster		

—52.

Nays:

Messrs:—

Gunter	Pugh	Vann
Haley	Sample	White (Perry)
Hoffman	Seale	Williams
Mastin	Urquhart	Woolf
McDuffie		

—13.

and to provide means for carrying the same into effect

S. 108. To provide for paying persons who are convicted of felonies where they appeal to the supreme court when the cause is reversed and remanded or rendered.

Was read a third time, at length, and passed.

Yeas, 56; nays, 2..

Yeas:

Messrs:—

Speaker	Hughston	Ragsdale
Avery	Johnson	Rainer
Ballard (Autauga)	King	Rattray
Ballard (Pike)	Kornegay	Rowe
Baltzell	Lacy (Walker)	Rushton
Barton	Lancaster	Sample
Benners	Lawson	Sanders
Bloch	Lee (Houston)	Sanford
Brown	Mitchell	Seale
Cannon	McCrory	Sherrod
Carmichael (Clay)	Parker	Smith (Elmore)
Coleman (Marshall)	Pearson	Smith (Franklin)
Cranford	Peete	Smith (Lee)
Crum	Pitts (Perry)	Turner
Edwards	Powell (Bullock)	Urquhart
Elrod	Powell (Covington)	White (Perry)
Foster	Power	Williams
Glover	Price	Woolf
Hoffman	Pugh	

—56.

Nays:

Messrs.

Gunter	Long (Butler)
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—2.

MOTION TO TAKE FROM THE TABLE.

Mr. Haley moved to take the bill H. 291 from the table, and then moved that his motion be postponed until tomorrow morning, and the motion to postpone the motion to take the bill from the table prevailed.

S. 61. To establish a colony for epileptics in Alabama, and to provide means for carrying the same into effect.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Public Health, said amendment being as follows:

Amend section four by striking out the words "One hundred thousand" where they occur in said section and insert in lieu thereof the words "twenty thousand."

And the amendment was adopted.

Yeas, 50; nays, 9.

Yeas:

Messrs:—

Speaker	Haley	Pitts (Dallas)
Arnold	Henley	Powell (Bullock)
Avery	John	Powell (Covington)
Ballard (Autauga)	King	Pratt
Barton	Kornegay	Price
Benners	Lacy (Dallas)	Ragsdale
Brown	Lacy (Walker)	Rainer
Burney	Lindsey	Rattray
Cannon	Long (Butler)	Rowe
Carmichael (Clay)	Lovelady	Rushton
Cooper	Lyons	Sanders
Crum	Maner	Sanford
Doyle (Marengo)	Mastin	Sherrod
Edwards	Mitchell	Smith (Franklin,
Foster	Moore	Urquhart
Goodwyn	McCrory	Woolf
Gunter	Peete	

—50.

Nays:

Messrs:—

Baltzell	Glover	Tunstall
Coleman (Marshall)	Power	Weaver
Fuller	Pugh	White (Perry)

—9.

Mr. John offered the following amendment to the bill:

"Amend section 2 by striking out the words "by and with the advice of the Board of Health," where they occur in lines 3 and 4 of said section.

Also amend section 3 by inserting after the word "lands" in line 3, the words "or choose any suitable lands now belonging to the State for a site for asid col-

ony." Also amend by striking out the word "commonwealth," the last word in section 4, and inserting in lieu thereof the word "colony."

Also amend by striking out of the 4th line of section 15, the words "Board of Commissioners" and insert in lieu thereof the words "superintendent thereof."

And the amendment was adopted.

Yeas, 50; nays, 8.

Yeas:

Messrs:—

Speaker	Henley	Powell (Covington)
Arnold	John	Power
Arrington	Lacy (Dallas)	Price
Avery	Lacy (Walker)	Pugh
Ballard (Autauga)	Lawson	Ragsdale
Barton	Lee (Barbour)	Rainer
Benners	Lovelady	Rice
Bloch	Maner	Rowe
Brown	Mitchell	Rushton
Burney	Moore	Sanford
Cannon	McCrary	Sherrod
Carmichael (Clay)	Parker	Smith (Franklin)
Doyle (Marengo)	Pearson	Turner
Foster	Peete	Urquhart
Goodwyn	Pitts (Dallas)	Vann
Gunter	Pitts (Perry)	Woolf
Haley	Powell (Bullock)	

—50.

Nays:

Messrs:—

Coleman (Marshall)	Glover	Long (Morgan)
Crum	Killen	White (Perry)
Elrod	Kornegay	

—8.

And the bill:

S. 61. To establish a colony for epileptics in Alabama, and to provide means for carrying the same into effect.

As amended, was read a third time, at length, and passed.

Yeas, 34; nays, 24.

Yeas:

Messrs		
Speaker	Maner	Ragsdale
Arnold	Mastin	Rainer
Barton	Mitchell	Rushton
Benners	McCrory	Sanford
Brown	Pearson	Seale
Burney	Pitts (Dallas)	Sherrod
Doyle (Marengo)	Pitts (Perry)	Smith (Etowah)
Edwards	Powell (Bullock)	Smith (Franklin)
Goodwyn	Pratt	Turner
Haley	Rice	Urquhart
Lawson	Pugh	Vann
Lovelady		

—34.

Nays:

Messrs:—

Avery	Fuller	Powell (Covington)
Ballard (Autauga)	Glover	Power
Ballard (Pike)	Henley	Sample
Cannon	Killen	Sanders
Carmichael (Clay)	Lacy (Dallas)	Smith (Elmore)
Coleman (Marshall)	Leng (Butler)	Tunstall
Cranford	Moore	Weaver
Elrod	McDuffie	White (Perry)

—24.

MESSAGE FROM THE SENATE.**Mr. Speaker:**

The President of the Senate having signed the following Senate bill:

S. 384. To provide for the establishment of high schools in this State, and to make appropriations for said schools.

Your signature thereto is requested.

J. A. Kyle, Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the title had been publicly

read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bill, the title to which is set out in the above and foregoing Senate message.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House amendment to S. 513. To amend an act to provide for the inspection of jails and alms houses and cotton mills; by adding section 12 to provide stationery and for office expenses.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by the governor to:

H. 1165. To amend an act entitled "An act to establish a separate school district to be known as the Elba school district in Coffee county, Alabama, and to provide for the management of the public schools in said district," approved February 28th, 1901, as amended by an act approved September 28th, 1903.

Yeas, 28; nays, 0.

Which was a majority of the whole number elected to the Senate.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 1201. To regulate and prescribe the manner of electing county commissioners in the county of Walker, fix their compensation and provide for holding regular, special and adjourned terms of the court of county commissioners.

H. 1271. To amend an act entitled "An act to establish the Morgan county law and equity court; to create

and define its jurisdiction; to provide its officers, their powers, duties and compensation; to fix the terms of said court; and to prescribe rules and procedure for said court," approved Feb. 25, 1907, by adding Sec. 37, providing that the judge of the said Morgan county law and equity court be authorized and empowered to direct the sheriff of Morgan county to appoint a sufficient number of deputies to serve the process of this court and perform other necessary and proper duties and to provide for the compensation of the sheriff, deputies and janitor for said court; and by adding section 38, providing for the trial of all causes removed to the Morgan county law and equity court from any other court in Morgan county, and by adding section 39, providing that a session of said court may be held at any time, and for such purpose as the judge of said court may determine, and for which petit and grand jurors may be summoned and empaneled; and by adding Sec. 40, providing for rendering final judgment upon forfeited bonds; and by adding section 41, providing for the investigation of charges against any defendant in the county court of Morgan county, Ala., by the grand jury of the Morgan county law and equity court.

H. 1242. To establish an inferior court in precinct 45, in Jefferson county, Alabama, in lieu of all justices of the peace and notaries public, with powers of justices of the peace, in said precinct, and to define the jurisdiction and powers of said court and of the judges thereof.

H. 1344. To authorize the county board of education of Chambers county to establish a high school anywhere in the county.

H. 1337. To require the sheriff of Lawrence county to procure from the office of the United States internal revenue collector for the State of Alabama, a list of persons, firms or corporations in Lawrence county, to whom licenses have been issued for the sale of spirituous, vinous, or malt liquors, and to publish the same in some newspaper published in said county.

H. 1305. To fix the salary of the county treasurer of Walker county, Alabama.

H. 1386. To amend section two (2) of an act entitled "An act to regulate the practice in the circuit court of Calhoun county," approved 12th day of March, 1907.

H. 936. To propose an amendment to the constitution of the State of Alabama, for the purpose of providing for the formation and establishing of new counties out of portions of one, two or more counties as may be desired.

H. 218. To prohibit the display of nude pictures of a man, woman or girl in any public place except art galleries.

And has amended, as therein shown, and as amended has passed:

H. 590. To amend an act entitled an act to amend section 4730 of the criminal Code of 1896, approved October 1st, 1903.

And has concurred in the House amendment to:

S. 520. To amend an act entitled an act to create a railroad commission to be known as the Railroad Commission of Alabama, define its duties and powers and provide for its mode of procedure and prescribe penalties for violation of its orders," approved 23d day of February, 1907.

S. 347. To establish and maintain a State sanatorium for consumption and tuberculosis, and to provide for disseminating information upon the nature, treatment and cure of tubercular diseases, and to make appropriation therefor.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Smith, of Etowah, the House concurred in the Senate amendment to the bill, H. 590, said amendment being as follows:

Amend by striking out the words "as if he had stolen it" where they occur, and inserting in lieu thereof "by a fine in double the damage suffered by the injured party, but not more than \$300, one-half of said fine to go to the county and one-half to the party injured."

Yeas, 56; nays, 0.

Yeas:**Messrs:—**

Speaker	Goodwyn	Pitts (Perry)
Avery	Haley	Powell (Bullock)
Ballard (Autauga)	Hughston	Power
Baltzell	Jenkins	Price
Barton	John	Pugh
Benners	Killen	Rainer
Bloch	King	Rowe
Brown	Kirby	Rushton
Burney	Kornegay	Sanders
Cannon	Lacy (Dallas)	Sanford
Carmichael (Clay)	Lancaster	Seale
Cooper	Lawson	Smith (Elmore)
Cranford	Long (Butler)	Smith (Etowah)
Crum	Mitchell	Smith (Franklin)
Doyle (Marengo)	Moore	Smith (Lee)
Edwards	McCrary	Tunstall
Elrod	Pearson	Urquhart
Fuller	Peete	Vann
Glover	Pitts (Dallas)	

—56.

ADJOURNMENT.

The hour of six o'clock having arrived, the House adjourned until 8 o'clock p. m.

NIGHT SESSION.

The House met pursuant to adjournment.

ROLL CALL.

On a call of the roll, the following members answered to their names:

Messrs:—

Speaker	Baltzell	Bulger
Arnold	Barton	Burney
Avery	Benners	Cannon
Ballard (Autauga)	Bloch	Carmichael (Clay)
Ballard (Pike)	Brown	Cooper

Cranford	Lawson	Rainer
Crum	Lee (Barbour)	Rice
Doyle (Marengo)	Lee (Etowah)	Rowe
Dudley	Lee (Houston)	Rushton
Edwards	Lindsey	Sample
Elrod	Long (Butler)	Sanders
Foster	Long (Morgan)	Sanford
Fuller	Lovelady	Seale
Glover	Maner	Sherrod
Goodwyn	Middleton	Smith (Elmore)
Gunter	Mitchell	Smith (Etowah)
Haley	Moore	Smith (Franklin)
Henley	McDuffie	Smith (Lee)
Hoffman	McMillan	Steagall
Hughston	Parker	Thompson
Jenkins	Peete	Tunstall
John	Pitts (Dallas)	Turner
Jones	Pitts (Perry)	Urquhart
Killen	Powell (Bullock)	Vann
King	Power	Weaver
Kirby	Pratt	White (Lamar)
Kornegay	Price	White (Perry)
Lacy (Dallas)	Pugh	Williams
Lacy (Walker)	Ragsdale	Woolf
Lancaster		

—88.

A quorum was present.

RESOLUTIONS.

The following resolutions were introduced and referred to the standing committee on Rules:

By Mr. Cooper:

H. R. 356. Resolved, that Senate bill No. 314, "Providing for a penalty for fraudulent enumeration of children by district trustees" be made a special, paramount continuing order immediately after roll call at the morning session on the next legislative day.

By Mr. Peete:

H. R. 357. Resolved, that House bill 1144 be set for 9 o'clock Wednesday evening.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended, as therein shown, and as amended has passed House bill:

H. 1233. To make it unlawful for any person to carry about his person a pistol or firearm of any other kind or description, or air gun, other than on his own premises or from the place of purchasing such firmarm or air gun, to his premises or place of business, shorter than twenty-four inches in length, and to fix the burden of proof and the punishment for the violation thereof.

And has passed:

H. 192. To amend section 5001 of the criminal Code, and to provide for the organization of a grand jury at adjourned term of the circuit or city courts.

H. 984. To fix the salary of the judge and associate dge of the city court of Montgomery.

H. 1349. Authorizing the recovery and requiring the refund of any money erroneously paid or collected for taxes, whether under compulsion or protest or not.

And has amended, as therein shown, and as amended has passed:

H. 1090. To create the Sixteenth judicial circuit for the State of Alabama, to be composed of the counties of Blount, Etowah and St. Clair, to confer equity jurisdiction on said court as to matters arising in Blount and St. Clair counties, and to provide for registers in chancery therein; to provide for the appointment and election of a judge and solicitor for said circuit and fix their salaries, and for the removal of pending causes and for the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit and to authorize the judge of said circuit to adopt reasonable rules of practice to facilitate the business of the courts therein; to fix the time of holding courts in said circuit, and places at which such courts shall be held and to require that a jury be demanded in civil causes.

H. 360. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors or

other intoxicating liquors or beverages in any of the voting precincts of Crenshaw county, Alabama, and to make it unlawful for the probate judge of said county to issue licenses to any person, firm or corporation to sell, give away or otherwise dispose of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any precinct of said county until the proposition shall have been first submitted to the qualified voters of the precinct in which the aforesaid liquors are to be sold, given away or otherwise disposed of, and to provide for an election therefor and the expense of holding an election and to punish the violations of the provisions of this act.

And returns same herewith to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

Mr. Pitts, of Perry, moved that the House non-concur in the Senate amendment to the bill, H. 1233.

And the motion to non-concur was lost.

Mr. McDuffie moved to concur in the Senate amendment to the bill, H. 1233, said Senate amendment being as follows:

Substitute to House bill 1233:

A BILL

To be entitled an act to regulate the carrying and the use of pistols.

Section 1. Be it enacted by the Legislature of Alabama, That from and after sixty days from the approval of this act, it shall be unlawful for any person to carry outside the curtilage of his dwelling a pistol until such person has applied for and obtained from the judge of probate of the county of which he is a resident, a license as hereinafter required.

Section 2. No licenses must be issued under the provisions of this act unless the application therefor shall state under oath, that the applicant has never been convicted of any crime involving moral turpitude, and be accompanied by a statement, subscribed and sworn

to before some officer, authorized by law to administer oaths, by not less than three reputable householders and freeholders, having families and residing in the applicant's precinct or ward: such statement shall set out how long the applicant has resided in the precinct or ward in the county, that he is a man of good moral character, of peaceable and law abiding habits and in all respects a fit and proper person to be licensed to carry a pistol.

Section 3. Upon the presentation to the judge of probate of the above prescribed statement, application and the payment of a license tax as hereinafter provided, the judge of probate must issue to the applicant a license to carry a pistol openly and unconcealed unless such judge has good reason to doubt the truth of the application or of the statement accompanying the same, in which event he shall deny the license. And the applicant shall thereupon have the right to demand a trial by jury, upon first entering into bond to secure the cost therefor to be approved by the judge; such jury to be empaneled, the trial to be conducted and the appeal taken in the same manner that is now prescribed by law for the trial by jury in contested will cases in the probate court; the issue before the jury shall be the truth, vel non of the statement accompanying the application and of the application itself, and if the verdict is in favor of the applicant the license sought shall be immediately issued. The license tax to carry a pistol openly and unconcealed shall be \$10.00 per annum.

Section 4. Any person desiring to carry a pistol concealed about his person must fully comply with the requirements of section 2 and 3 of this act, and in addition thereto must enter into bond, in the sum of five hundred (\$500.00) dollars, payable to the State of Alabama, with good and sufficient sureties, to be approved by the judge of probate, and conditioned to keep the peace as to all parties, and to carry no other pistol than that which he is licensed to carry, the make and number of which must appear on his license and on the record of the license in the probate office; the cost of such license shall be \$10.00 per annum.

Any person may bring suit in the name of the State against the principal and sureties of such bond for a breach thereof; one-half of the amount recovered to go to the person bringing the suit, and the remainder to the State.

Section 5. All license issued under this act shall be governed by section 4126 of the Code of 1896, and the license tax collected under this act shall be paid half into the State treasury and half into the treasury of the county in which the license is issued. All license issued in any county shall entitle the person to whom it is issued to carry the pistol in the manner described in the license in any county in the State without further cost.

Section 6. Any person violating the provisions of this act or either of them shall be guilty of a misdemeanor and shall be fined not less than fifty (\$50.00) nor more than five hundred (\$500.00) dollars, and may also be sentenced to hard labor for the county for not more than one year at the discretion of the judge.

Section 7. Provided that nothing herein contained shall apply to the State militia or to any person bearing arms in defense of the State or to sheriffs, their deputies, constables, watchmen, or police officers in the actual discharge of duties requiring the use of pistols.

Section 8. It shall be the duty of the judge of probate of each county to keep in a substantially bound book a record of all licenses issued under this act, showing the names of persons to whom licenses have been issued, the date of such license, the manner in which such person is licensed to carry the pistol, and the names of the parties recommending the issuing of the license; and he shall furnish to the first grand jury empaneled after this act goes into effect, a complete copy of this record, and to each grand jury thereafter a complete copy of the record as to licenses issued since his last report. The probate judge shall be entitled to a fee of fifty (50) cents, to be deducted by him from the license tax, for each license issued under this act.

Section 9. Any judge of probate who shall refuse or fail to perform any of his duties under this act shall be

guilty of a misdemeanor and shall be fined not less than twenty-five (\$25) nor more than five hundred (\$500.00) dollars.

Section 10. All laws and parts of laws, general, local and special in conflict herewith are hereby repealed.

Section 11. On conviction for violation of any of the provisions of this act the solicitor's fee shall be thirty dollars (\$30.00) to be taxed as other costs.

And the motion of Mr. McDuffie to concur in the Senate amendment to the bill, H. 1233, was lost.

Yeas, 35; nays, 51.

Yeas:

Messrs.

Ballard (Autauga)	King	Rainer
Ballard (Pike)	Kornegay	Sanders
Baltzell	Lacy (Dallas)	Sanford
Bloch	Lancaster	Smith (Elmore)
Cranford	Lee (Houston)	Steagall
Crum	Lindsey	Thompson
Doyle (Marengo)	Maner	Tunstall
Dudley	McDuffie	Turner
Elrod	Norville	Vann
Goodwyn	Pitts (Dallas)	White (Perry)
Henley	Pugh	Woolf
Jones	Ragsdale	

—35.

Nays:

Messrs:—

Speaker	Fuller	Lee (Etowah)
Arnold	Glover	Long (Morgan)
Arrington	Gunter	Lovelady
Avery	Haley	Mastin
Barton	Hoffman	Mitchell
Benners	Hughston	Moore
Brown	Jenkins	McMillan
Bulger	John	Parker
Burney	Killen	Peete
Cannon	Kirby	Pitts (Perry)
Cooper	Lacy (Walker)	Powell (Bullock)
Elrod	Lawson	Power
Foster	Lee (Barbour)	Price

Rice	Sherrod	Urquhart
Rowe	Smith (Etowah)	Weaver
Rushton	Smith (Franklin)	White (Lamar)
Sample	Smith (Lee)	Williams

—51.

On motion of Mr. Gunter, a committee of conference was appointed on the disagreement of the two Houses on the Senate amendment to the bill, H. 1233.

Committee on part of the House: Messrs. Gunter, Urquhart and Rushton.

On motion of Mr. Weaver, the House concurred in the Senate amendment to the bill H. 1090, said Senate amendment being as follows:

Amend by striking out the words "except between Etowah county" where they occur in line (3) three of said section.

Amend section 3 further by striking out all of line six and all of the latter part of line five beginning with the word "provided."

Amend section 7 so as to make it read as follows:

Sec. 7. That all cases and court business now pending in the circuit courts of the counties of Blount, St. Clair and Etowah shall be and the same are hereby transferred to the court created by this act, in each of the respective counties named and shall be there disposed of in the same manner and with like effect as if the same had been instituted therein.

Yeas, 60; nays, 0.

Yeas:

Messrs.

Speaker	Brown	Fuller
Arrington	Bulger	Glover
Avery	Burney	Goodwyn
Ballard (Autauga)	Cannon	Gunter
Ballard (Pike)	Coleman (Marshall)	Haley
Baltzell	Cooper	Hoffman
Barton	Cranford	Hughston
Benners	Crum	John
Bloch	Elrod	King

Kornegay	McDuffie	Sanders
Lacy (Dallas)	McMillan	Sanford
Lacy (Walker)	Parker	Sherrod
Lancaster	Peete	Smith (Franklin)
Lee (Barbour)	Power	Smith (Lee)
Lee (Etowah)	Price	Tunstall
Lindsey	Pugh	Turner
Long (Morgan)	Ragsdale	Weaver
Lovelady	Rainer	White (Lamar)
Mitchell	Rice	Williams
Moore	Rushton	Woolf

—60.

On motion of Mr. Rushton, the House concurred in the Senate amendment to the bill H. 360, said Senate amendment being as follows:

Amend by adding the following section:

Sec. 9. That all laws and parts of laws in conflict with any of the provisions of this act be and the same are hereby repealed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Fuller	Maner
Arnold	Glover	Mitchell
Arrington	Goodwyn	Moore
Ballard (Autauga)	Gunter	McCrory
Ballard (Pike)	Haley	McDuffie
Baltzell	Henley	Parker
Barton	Hoffman	Pearson
Bloch	Johnson	Peete
Brown	Killen	Pitts (Dallas)
Bulger	King	Pitts (Perry)
Cannon	Lacy (Dallas)	Powell (Bullock)
Carmichael (Clay)	Lawson	Powell (Covington)
Cooper	Lee (Barbour)	Power
Crum	Lee (Houston)	Pratt
Doyle (Marengo)	Lindsey	Price
Dudley	Long (Butler)	Pugh
Edwards	Lovelady	Rainer
Elrod	Malone	Rice

Rowe
Rushton
Sanford

Sherrod
Smith (Elmore)
Smith (Lee)

Tunstall
Woelf

—62.

MESSAGE FROM THE SENATE.

Mr. Speakere:

The Senate has concurred in H. J. R. 348, Relative to the deepening and maintenance of the channel from the port of Mobile to the Gulf States, etc.

And returns same herewith to the House.

And the Senate has concurred in the House amendment to the following Senate bill:

S. 61. To establish a colony for epileptics in Alabama and to provide means for carrying the same into effect.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate insists on its amendments to:

H. 987. To impose a tax of one dollar each year on all dogs in the State of Alabama over four months of age, and to provide for the collection of such tax and to provide that all live stock killed or injured and all damages done thereto shall be paid for out of the dog tax fund and to provide that the surplus left in the dog tax fund on the first day of March of each year shall be paid into the public school funds of the county in which said tax was collected.

And requests a committee of conference. Committee on part of the Senate: Messrs. Teasley, Spragins and Overton.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Tunstall, the House acceded to the request of the Senate for a committee of conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 987.

Committee on part of the House: Messrs. Mastin, Sanford and Pitts, of Dallas.

Mr. John, chairman of the standing committee on Judiciary, reported that said committee, in session, had acted upon the following bill and ordered same returned to the House with a favorable report with an amendment:

S. 552. To fix the times and places of holding the chancery court in the Northeastern chancery division of Alabama.

The above and foregoing bill was read a second time, and placed on the calendar.

On motion of Mr. Haley, the House concurred in the Senate amendment to the bill, H. 1362, the consideration of which was previously temporarily postponed, said Senate amendment being as follows:

Amend section 2 of the bill so as to read as follows:

"Section 2. Said business shall be conducted by the intendant and aldermen of Florala through a dispenser and five commissioners, and such other officers and agents as may be appointed or selected by them or by the commissioners with their consent and approval for that purpose. The office of dispenser is hereby created and his term of office shall be one year from the date of his qualification and until his successor is elected and qualified. The first five commissioners shall be W. F. Hughes, B. F. Luttrell, M. A. George, Jr., D. I. B. Atkison, and J. T. Penton, their term of office shall be four years from the time they are qualified and until their successors are appointed and qualified. The dispenser shall be elected by the commissioners annually, and the commissioners shall be elected by the intendant and aldermen of Florala every four year. The first election of commissioners shall take place on the expiration of the term of office of the commissioners hereinabove mentioned and named. All other officers and agents shall be appointed by the commissioners with the approval and consent of the intendant and aldermen of Florala."

Amend section 8 of the bill by striking out of said section the words "sun rise" where they appear in said section and by inserting in place thereof the words "six o'clock, a. m."

Amend section 7 of the bill by striking out of said section in line 3 the words "of less than one pint" and by inserting in place thereof the words "of more than one quart, nor less than one half pint." Also by striking out the word "and" in the first line of section 7 of the bill and by inserting in place thereof the word "any."

By striking out the word "Floralla" wherever it appears in the caption and the several sections of the bill and by inserting in place of the word so stricken out wherever the same is stricken, the word "Floralala."

Amend section 13, by striking out the word "two" where it appears in said section and inserting in place thereof the word "three."

Amend section 6 by striking out the words "nine hundred dollars nor more than fifteen hundred dollars" where they appear in said section and by substituting in place thereof the words "six hundred dollars nor more than one thousand dollars."

Yeas, 60; nays, 0.

Yeas:

Messrs:—

Arnold	Cooper	Killen
Arrington	Crum	King
Avery	Doyle (Marengo)	Lacy (Dallas)
Ballard (Autauga)	Edwards	Lancaster
Ballard (Pike)	Elrod	Lee (Barbour)
Baltzell	Foster	Lee (Etowah)
Barton	Fuller	Lindsey
Benners	Glover	Long (Morgan)
Bloch	Goodwyn	Malone
Brown	Gunter	Maner
Bulger	Haley	Middleton
Burney	Henley	Mitchell
Cannon	Hoffman	Moore
Carmichael (Clay)	John	McCrory
Coleman (Marshall)	Jones	McDuffie

McMillan	Power	Sample
Parker	Pugh	Sanford
Pitts (Dallas)	Ragsdale	Sherrod
Pitts (Perry)	Rice	Vann
Powell (Bullock)	Rowe	Woolf

—60.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 427. To appropriate four thousand dollars to the Plantersville High School, at Plantersville, Dallas county, Alabama, and to provide that the Governor of Alabama be ex-officio President of the board of trustees, and that the superintendent of education of Alabama, be ex-officio a member of the board of trustees, and to provide for the appointment by the Governor of five other trustees.

H. 552. To require the sheriffs of the various counties of the State of Alabama to procure from the office of the United States Internal Revenue Collector a list of all persons, firms or corporations in their respective counties, to whom licenses have been issued for the sale of spirituous, vinous or malt liquors and to publish the same in some newspaper published in said counties.

H. 1300. To amend section 393 of the Code of 1896.

And sends same herewith to the House.

And has amended, as therein shown, and as amended has passed:

H. 113. To regulate the ginning of cotton for toll or hire in this State. To require all ginners of cotton for hire or toll to register all cotton brought to their gins in the name of the owner thereof, so far as can be ascertained, and to require the ginners of cotton for hire or toll to mark every bale of cotton ginned by them with proper marks or initials of the owner thereof, so that the same can be identified; and to require the ginner to keep a register of said marks in a book which shall be open to the public for inspection and to punish violators of said act.

And herewith returns the same to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Elrod, the House concurred in the Senate amendment to the bill, H. 113, said Senate amendment being as follows:

Amend by striking out the words "one hundred dollars" and inserting in lieu thereof "ten dollars," and striking out the word "five hundred dollars" and inserting in lieu thereof the words "one hundred dollars."

Yeas, 55; nays, 0.

Yeas:

Messrs:—

Arnold	Gunter	Pugh
Arrington	Haley	Rice
Avery	Hoffman	Rowe
Ballard (Autauga)	Jones	Rushton
Baltzell	King	Sanford
Barton	Kornegay	Seale
Benners	Lacy (Dallas)	Sherrod
Brown	Lacy (Walker)	Smith (Etowah)
Burney	Lawson	Smith (Franklin)
Cannon	Maner	Smith (Lee)
Carmichael (Clay)	Mitchell	Steagall
Coleman (Marshall)	Moore	Tunstall
Cranford	Parker	Urquhart
Doyle (Marengo)	Pearson	Vann
Edwards	Peete	Weaver
Elrod	Pitts (Dallas)	White (Lamar)
Foster	Pitts (Perry)	White (Perry)
Fuller	Price	Wolff
Goodwyn		

—55.

BILLS ON THIRD READING.

S. 632. "To provide for the construction, repairing, working, making, maintaining, and protection of the public roads of Geneva county, and to provide for the levying of the tax for the same, and for punishing road defaulters, and prescribing the duties of the commis-

sioners court with reference to said work, and for the punishment of violations of orders made by the commissioners court."

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Power
Alford	Henley	Pratt
Altman	Jenkins	Price
Arnold	John	Pugh
Avery	Jones	Rainer
Baltzell	Killen	Rice
Barton	King	Rowe
Benson	Kirby	Sample
Bloch	Lawson	Sanders
Bulger	Lindsey	Seale
Burney	Long (Butler)	Sherrod
Cooper	Lovelady	Smith (Lee)
Crum	Lyons	Steagall
Doyle (Clark)	Malone	Tunstall
Dudley	Moore	Turner
Elrod	Oliver	Vann
Foster	Parker	Weaver
Fuller	Pearson	Woolf
Glover	Peete	

—56.

S. 633. To regulate the taxing of dogs in Madison county, Alabama, and for the protection of sheep, cattle, horses, swine and other live stock in said county; to provide penalties for its violation; to repeal all laws in conflict.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Avery	Bloch
Alford	Baltzell	Brown
Arnold	Barton	Bulger
Arrington	Benners	Burney

Cannon	King	Rainer
Cooper	Kirby	Rattray
Cranford	Lawson	Rice
Crum	Lindsey	Rowe
Elrod	Lyons	Sample
Foster	Malone	Sanders
Fuller	Maner	Sanford
Glover	Mastin	Seale
Gunter	Norville	Sherrod
Haley	Parker	Turner
Henley	Peete	Vann
Jenkins	Power	Weaver
John	Pratt	Williams
Jones	Price	Woolf
Killen	Pugh	

UNFINISHED BUSINESS.

The House proceeded to the consideration of the unfinished business, which was the bill S. 562, said bill having been lost on account of a quorum not voting on its final passage, and the bill:

S. 562. For the relief of Chas. G. Abercrombie & Co., on unexpired license as future dealrs.

Was read a third time, at length, and passed.

Yeas, 48; nays, 13.

Yeas:

Messrs.

Speaker	Goodwyn	Lyons
Alford	Gunter	Maner
Arnold	Haley	Middieton
Baltzell	Henley	McDuffie
Barton	Hughston	Norville
Benners	Jenkins	Parker
Bloch	Jones	Pearson
Brown	King	Pitts (Dallas)
Bulger	Kornegay	Pitts (Perry)
Cooper	Lancaster	Pratt
Crum	Lawson	Price
Dudley	Lindsey	Pugh
Foster	Long (Butler)	Ragsdale

Rainer	Steagall	Urquhart
Sanford	Thompson	Vann
Seale	Tunstall	Woolf

—48.

Nays:

Messrs		
Avery	Hoffman	Peete
Cannon	Killen	Power
Coleman (Marshall)	Kirby	Rushton
Fuller	Pearson	Sherrod
Glover		

—13.

S. 619. For the relief of J. T. Ballow.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Price
Arnold	Haley	Pugh
Arrington	Henley	Ragsdale
Avery	Hoffman	Rainer
Barton	Jenkins	Ratray
Benners	John	Rice
Bloch	Jones	Rowe
Brown	Killen	Rushton
Bulger	King	Sample
Cannon	Kirby	Sanders
Cooper	Lovelady	Sanford
Cranford	Lyons	Seale
Crum	Malone	Sherrod
Dudley	Maner	Smith (Elmore)
Edwards	Parker	Steagall
Elrod	Pearson	Vann
Foster	Peete	Weaver
Fuller	Power	Woolf
Glover	Pratt	

—56.

S. 620. For the relief of J. C. Webb, Jr., and J. T. Ballow.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Power
Arnold	Haley	Pratt
Arrington	Henley	Price
Avery	Hoffman	Pugh
Baltzell	Jenkins	Rainer
Barton	John	Rattray
Benners	Jones	Rice
Bloch	Killen	Rowe
Brown	King	Sample
Bulger	Kirby	Sanders
Burney	Lawson	Sanford
Cannon	Lindsey	Seale
Cooper	Lyons	Sherrod
Crum	Malone	Steagall
Doyle (Marengo)	Maner	Turner
Elftod	Mastin	Vann
Foster	Moore	Weaver
Fuller	Parker	Wolff
Glover	Peete	

—56.

MOTION TO TAKE FROM ADVERSE CALENDAR.

On motion of Mr. Goodwyn, the bill, S. 574, was taken from the adverse calendar and referred to a committee of the whole House.

The Speaker named Mr. Haley as chairman of the committee of the whole House.

COMMITTEE OF THE WHOLE..

On motion of Mr. Tunstall, the committee rose and reported favorably to the House the bill, S. 574.

And the bill:

S. 574. To create a commission whose duty it shall be to erect a statute of the late Mr. Jefferson Davis in front of the capitol in the city of Montgomery, Alabama, and to appropriate the sum of ten thousand dollars for the purpose of erecting such statute.

Was read a second time, and placed on the calendar.

BILLS ON THIRD READING.

S. 557. To create the office of official stenographer for Walker county, Alabama, to provide for his appointment, fix his compensation and define his duties, and provide for special stenographers in certain cases.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Power
Arnold	Henley	Pratt
Avery	Jenkins	Price
Baltzell	John	Pugh
Barton	Jones	Ragsdale
Benners	King	Rainer
Bloch	Kirby	Ratray
Brown	Lacy (Walker)	Rice
Bulger	Lancaster	Rowe
Burney	Lawson	Sample
Cannon	Lindsey	Sanders
Cooper	Lyons	Sanford
Cranford	Malone	Seale
Crum	Maner	Sherrod
Elrod	Mastin	Turner
Foster	Moore	Vann
Fuller	Parker	Weaver
Glover	Pearson	Wolff
Gunter	Peete	

—56.

S. 435. To confer on the governing bodies of towns and cities, which own and operate dispensaries in counties where no part of the net profits of such dispensaries are divided with the counties in which they are so owned and operated, the right, power and authority to give to such counties a part of the net profits of such dispensaries, not exceeding forty per cent thereof, to be used and expended by the governing bodies of such counties in the improvement of the public roads of such county or counties.

Was read a third time, at length, and passed.

Yeas, 55; nays, 1.

Yeas:

Messrs:—

Speaker	Gunter	Parker
Arnold	Haley	Pearson
Avery	Henley	Power
Baltzell	Hoffman	Pratt
Barton	Jenkins	Price
Benners	John	Pugh
Bloch	Jones	Rainer
Brown	Killen	Ratray
Bulger	King	Rice
Burney	Kirby	Rowe
Cannon	Lawson	Sample
Cooper	Lindsey	Sanders
Crum	Lyons	Sanford
Dudley	Malone	Seale
Edwards	Maner	Turner
Elrod	Mastin	Vann
Foster	Moore	Weaver
Fuller	Norville	Woolf
Glover		

—55.

—1.

S. 577. To fix the times and places of holding the circuit courts in the Fifth judicial circuit of Alabama.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on the Judiciary, said Senate amendment being as follows:

Amend the substitute by striking out the word "three" where it appears in the tenth line of section one of the substitute and adding in lieu thereof the word "two."

And the amendment was adopted.

Yeas, 56;; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Power
Alford	Haley	Pratt
Arnold	Henley	Price
Avery	Jenkins	Pugh
Baltzell	John	Rainer
Barton	Jones	Rattray
Benners	Killen	Rice
Bloch	King	Rowe
Brown	Kirby	Sample
Bulger	Lawson	Sanders
Cannon	Lindsey	Sanford
Cooper	Lyons	Seale
Crum	Malone	Sherrod
Dudley	Maner	Tunstall
Edwards	Moore	Turner
Elrod	Norville	Vann
Foster	Parker	Weaver
Fuller	Pearson	Wolff
Glover	Peete	

—56.

And the bill:

S. 577. To fix the times and places of holding the circuit courts in the Fifth judicial circuit of Alabama.

As amended was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Cranford	Jenkins
Arnold	Crum	John
Avery	Edwards	Jones
Baltzell	Elrod	Killen
Barton	Foster	King
Benners	Fuller	Kirby
Bloch	Glover	Lawson
Brown	Goodwyn	Lyons
Bulger	Gunter	Malone
Cannon	Haley	Maner
Cooper	Henley	Mastin

Moore	Ragsdale	Sanford
Parker	Rainer	Seale
Pearson	Ratray	Sherrod
Peete	Rice	Turner
Power	Rowe	Vann
Pratt	Rushton	Weaver
Price	Sample	Woolf
Pugh	Sanders	

—56.

S. 629. To amend an act entitled "an act to establish a board of revenue for Jefferson county, and for the abolishment of the court of county commissioners of said county.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs :—

Speaker	Haley	Price
Arnold	Jenkins	Pugh
Avery	John	Ragsdale
Baltzell	Jones	Rainer
Barton	Killen	Ratray
Benners	King	Rice
Bloch	Kirby	Rowe
Brown	Lindsey	Sample
Bulger	Lyons	Sanders
Burney	Malone	Sanford
Cooper	Maner	Seale
Cranford	Mitchell	Sherrod
Crum	Moore	Tunstall
Dudley	McDuffie	Turner
Elrod	Parker	Vann
Foster	Pearson	Weaver
Fuller	Peete	Williams
Glover	Power	Woolf
Gunter	Pratt	

—56.

SPECIAL ORDERS.

On motion of Mr. Arnold, the bill S. 314 was made a special, paramount, continuing order for tomorrow immediately after the approval of the journal.

On motion of Mr. Goodwyn, the bill S. 574 was made a special, paramount, continuing order after S. 314.

On motion of Mr. Woolf, the bill S. 519 was made a paramount, continuing order after S. 574.

On motion of Mr. Pitts, of Perry, the bill S. 428, was made a special, paramount, continuing order after S. 519.

On motion of Mr. King, the bill S. 284 was made a paramount, continuing, special order for tomorrow at 12 o'clock.

BILL TAKEN FROM THE TABLE.

On motion of Mr. Haley, the vote by which the bill, S. 510, was laid upon the table, was reconsidered.

And the bill:

S. 510. To authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 1.

Yeas:

Messrs:—

Speaker	Crum	Jones
Arnold	Elrod	Killen
Avery	Foster	King
Baltzell	Fuller	Kirby
Barton	Glover	Lawson
Benners	Gunter	Lindsey
Bloch	Haley	Lyons
Brown	Henley	Malone
Bulger	Hoffman	Maner
Burney	Jenkins	Mastin
Cooper	John	Moore

Oliver	Kagsdale	Seale
Parker	Rainer	Sherrod
Pearson	Rice	Turner
Peete	Rowe	Urquhart
Power	Rushton	Vann
Pratt	Sample	Weaver
Price	Sanders	Wolf
Pugh	Sanford	

—56.

Nays:

Mr. Cannon

—1.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 916. To establish a high school for Dale county, to be located at Ozark, Alabama.

H. 863. To establish a normal school for education of white male and female teachers at Moundville, in Hale county, Alabama.

H. 324. To define and regulate negotiable instruments.

And herewith returns the same to the House.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. President:

The Senate accedes to the request of the House for a committee of conference of the two Houses on the Senate amendments to:

H. 1233.. To make it unlawful for any person to carry about his person a pistol or firearm of any other kind or description, or air gun, other than on his own premises or from the place of purchasing such firearm or air gun, to his premises or place of business, shorter than twenty-four inches in length, and to fix the burden of proof and the punishment for the violation thereof.

Committee on the part of the Senate: Messrs. Hinson, Reese and Thomas.

And returns said bill herewith to the House.

J. A. Kyle, Secretary.

ADJOURNMENT.

On motion of Mr. Tunstall, the House adjourned until 8:30 tomorrow morning.

FIFTIETH DAY.

House of Representatives,
Wednesday, Aug. 7th, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by the Rev. Harry L. Martin, of Ozark.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Coleman (Marshall)	Hoffman
Arnold	Cooper	Hughston
Arrington	Cranford	Jenkins
Avery	Crum	John
Ballard (Autauga)	Doyle (Marengo)	Jones
Ballard (Pike)	Dudley	Killen
Baltzell	Edwards	King
Barton	Elrod	Kirby
Benners	Foster	Kornegay
Bloch	Fuller	Lacy (Dallas)
Brown	Glover	Lacy (Walker)
Bulger	Goodwyn	Lancaster
Burney	Gunter	Lawson
Cannon	Haley	Lee (Barbour)
Carmichael (Clay)	Lenley	Lee (Etowah)

Lee (Houston)	Peete	Seale
Lindsey	Pitts (Dallas)	Sherrod
Long (Butler)	Pitts (Perry)	Smith (Elmore)
Long (Morgan)	Powell (Bullock)	Smith (Etowah)
Lovelady	Powell (Covington)	Smith (Franklin)
Lyons	Power	Smith (Lee)
Malone	Pratt	Steagall
Mamer	Price	Thompson
Mastin	Pugh	Tunstall
Middleton	Ragsdale	Turner
Mitchell	Rainer	Urquhart
Moore	Rattray	Vann
McCrory	Rice	Weaver
McDuffie	Rowe	White (Lamar)
McMillan	Rushton	White (Perry)
Norville	Sample	Williams
Parker	Sanders	Woolf
Pearson	Sanford	

—98.

A quorum was present.

JOURNAL.

The chairman of the standing committee on Revision of the Journal made the following report:

Mr. Speaker:

Your committee on the Revision of the Journal begs leave to report as follows:

We have examined the journal for the Forty-ninth day and find the same to be correct.

H. B. Steagall,
Chairman.

The report of the committee was concurred in and the journal for the 49th day was approved.

BILLS ON THIRD READING.

S. 635. To amend sections 426, 427, 431, 434, and 456 of the Code of 1896.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Pitts (Dallas)
Arnold	Fuller	Pitts (Perry)
Arrington	Glover	Powell (Covington)
Avery	Gunter	Power
Ballard (Autauga)	Haiey	Pratt
Baltzell	Hoffman	Pugh
Barton	Hughston	Ragsdale
Benners	Jones	Rainer
Bloch	Killen	Rattray
Brown	Kirby	Rice
Bulger	Lawson	Rowe
Cannon	Lee (Etowah)	Sanders
Carmichael (Clay)	Lindsey	Sanford
Coleman (Marshall)	Long (Butler)	Smith (Elmore)
Cooper	Mitchell	Smith (Franklin)
Cranford	McMillan	Smith (Lee)
Crum	Parker	Vann
Doyle (Marengo)	Pearson	White (Lamar)
Edwards	Peete	White (Perry)

—57.

RESOLUTIONS.

The following resolutions were introduced:

By Mr. Long, of Butler:

H. R. 358. Resolved, that the House of Representatives accept the invitation of Senator Joseph F. Johnston and that when the House adjourns at one o'clock it will recess until four o'clock.

On motion of Mr. Long, of Butler, the rules were suspended and the resolution adopted.

By Mr. John:

H. J. R. 359. Resolved, that the two Houses recess today from one to four p. m., and that no bill shall be put upon its passage after six o'clock p. m.

On motion of Mr. John, the rules were suspended and the resolution was adopted.

By Mr. Hoffman:

H. J. R. 360. Be it resolved, by the House of Representatives, the Senate concurring, that it is the sense of the Legislature of Alabama, when an intelligent electorate of a sovereign State by an overwhelming vote at the ballot box, the correctness of which has never been challenged, placed the entire people of the State of Alabama on record as pledging themselves and their representatives in both the Legislature and executive departments to reforms which would secure equal justice to all, the position of such electorate should be made a matter of permanent record.

That this Legislature has diligently and industriously endeavored to enact laws conforming to the policies outlined in the Democratic platform to correct the abuses in this State which had become so apparent and obnoxious that the whole State rose against them. Among the laws enacted are many to protect the lives of our citizens and punish the criminal who disobeys or violates such laws. Others to protect the property rights of the citizens and still others to regulate public service corporations within this State. All of these laws have been enacted by the solemn authority of the people of Alabama and should be obeyed. To secure obedience is not within the province of the Legislature of Alabama, but this great responsibility rests upon the executive officers of the State.

Absolute disregard of law is the teachings of anarchy, and precludes the existence of society in a civilized State. When a great corporation wilfully and knowingly violates a law, for the purpose of showing its contempt for the statute of a sovereign State, or for the purpose of placing a poor plaintiff to the disadvantage of a different procedure, it amounts to the same wilful violation of law, for which the criminal often forfeits his life. In one case you have to deal with a human being, in the other with a great corporation. No one can deny the responsibility resting upon the executive of a State in such a case, and to him alone can the people look for the enforcement of their laws.

It is therefore further resolved, that the Legislature of Alabama in this manner approves and applauds the courageous determination of the Honorable Braxton Bragg Comer to carry into effect the enactments of this Legislature, and we now pledge him our hearty support and co-operation in all matters affecting these great issues, to the end that the will of the people and not of the corporation shall govern. Should he find himself encompassed with difficulties necessitating further legislation, the Legislature pledges itself to carefully do all that is necessary to carry out the platform of the Democratic party.

Rules.

By Mr. Maner:

H. J. R. 361. Be it resolved by the House of Representatives, the Senate concurring, that our representatives in the Congress of the United States from the State of Alabama be requested to do all in their power to secure the passage of a Federal law prohibiting interstate shipments of intoxicating liquors or beverages into prohibition districts of the various States.

Rules.

By Mr. Maner:

H. J. R. 362. Be it resolved by the House of Representatives, the Senate concurring therein, that the several Federal courts in Alabama be respectfully requested to enforce section 3239 of the revised statutes of the United States which requires tax stamps issued to liquor dealers by the United States to be posted in a conspicuous place.

Rules.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following resolutions with a favorable report:

H. R. 341, 335, 346, 347, 349, 351, and 356.

And the resolutions were adopted.

And the following resolutions with an adverse report:

H. R. 342, 355, 357.

BILLS ON THIRD READING.

S. 503. To further regulate and prohibit the sale or other disposition of spirituous, vinous, malt or intoxicating liquors, or the issuing of prescriptions by physicians for the sale or other disposition of such liquors.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	John	Pratt
Arnold	Jones	Price
Avery	Killen	Pugh
Benners	King	Ragsdale
Cannon	Kornegay	Rattray
Carmichael (Clay)	Lacy (Dallas)	Rice
Coleman (Marshall)	Lawson	Rowe
Cooper	Lee (Barbour)	Sample
Cranford	Long (Butler)	Sanders
Crum	Lovelady	Sanford
Doyle (Marengo)	Malone	Sherrod
Edwards	Maner	Smith (Elmore)
Elrod	Mitchell	Smith (Franklin)
Foster	Moore	Steagall
Fuller	McMillan	Turner
Glover	Pearson	Vann
Haley	Pitts (Perry)	White (Lamar)
Hoffman	Power	Wolf

—54.

S. 123. To amend section 12 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved the 10th day of February, 1899.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Avery	Benners
Arnold	Baltzell	Brown
Arrington	Barton	Bulger

sioners court with reference to said work, and for the punishment of violations of orders made by the commissioners court."

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Power
Alford	Henley*	Pratt
Altman	Jenkins	Price
Arnold	John	Pugh
Avery	Jones	Rainer
Baltzell	Killen	Rice
Barton	King	Rowe
Benson	Kirby	Sample
Bloch	Lawson	Sanders
Bulger	Lindsey	Seale
Burney	Long (Butler)	Sherrod
Cooper	Lovelady	Smith (Lee)
Crum	Lyons	Steagall
Doyle (Clark)	Malone	Tunstall
Dudley	Moore	Turner
Elrod	Oliver	Vann
Foster	Parker	Weaver
Fuller	Pearson	Wolf
Glover	Peete	

—56.

S. 633. To regulate the taxing of dogs in Madison county, Alabama, and for the protection of sheep, cattle, horses, swine and other live stock in said county; to provide penalties for its violation; to repeal all laws in conflict.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Avery	Bloch
Alford	Baltzell	Brown
Arnold	Barton	Bulger
Arrington	Benners	Burney

Cannon	King	Rainer
Cooper	Kirby	Rattray
Cranford	Lawson	Rice
Crum	Lindsey	Rowe
Elrod	Lyons	Sample
Foster	Malone	Sanders
Fuller	Maner	Sanford
Glover	Mastin	Seale
Gunter	Norville	Sherrod
Haley	Parker	Turner
Henley	Peete	Vann
Jenkins	Power	Weaver
John	Pratt	Williams
Jones	Price	Woolf
Killen	Pugh	

UNFINISHED BUSINESS.

The House proceeded to the consideration of the unfinished business, which was the bill S. 562, said bill having been lost on account of a quorum not voting on its final passage, and the bill:

S. 562. For the relief of Chas. G. Abercrombie & Co., on unexpired license as future dealrs.

Was read a third time, at length, and passed.

Yeas, 48; nays, 13.

Yeas:

Messrs.

Speaker	Goodwyn	Lyons
Alford	Gunter	Maner
Arnold	Haley	Middieton
Baltzell	Henley	McDuffie
Barton	Hughston	Norville
Benners	Jenkins	Parker
Bloch	Jones	Pearson
Brown	King	Pitts (Dallas)
Bulger	Kornegay	Pitts (Perry)
Cooper	Lancaster	Pratt
Crum	Lawson	Price
Dudley	Lindsey	Pugh
Foster	Long (Butler)	Ragsdale

Rainer	Steagall	Urquhart
Sanford	Thompson	Vann
Seale	Tunstall	Woolf

—48.

Nays:

Messrs		
Avery	Hoffman	Peete
Cannon	Killen	Power
Coleman (Marshall)	Kirby	Rushton
Fuller	Pearson	Sherrod
Glover		

—13.

S. 619. For the relief of J. T. Ballow.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Price
Arnold	Haley	Pugh
Arrington	Henley	Ragsdale
Avery	Hoffman	Rainer
Barton	Jenkins	Rattray
Benners	John	Rice
Bloch	Jones	Rowe
Brown	Killen	Rushton
Bulger	King	Sample
Cannon	Kirby	Sanders
Cooper	Lovelady	Sanford
Cranford	Lyons	Seale
Crum	Malone	Sherrod
Dudley	Maner	Smith (Elmore)
Edwards	Parker	Steagall
Elrod	Pearson	Vann
Foster	Peete	Weaver
Fuller	Power	Woolf
Glover	Pratt	

—56.

S. 620. For the relief of J. C. Webb, Jr., and J. T. Ballow.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Power
Arnold	Haley	Pratt
Arrington	Henley	Price
Avery	Hoffman	Pugh
Baltzell	Jenkins	Rainer
Barton	John	Rattray
Benners	Jones	Rice
Bloch	Killen	Rowe
Brown	King	Sample
Bulger	Kirby	Sanders
Burney	Lawson	Sanford
Cannon	Lindsey	Seale
Cooper	Lyons	Sherrod
Crum	Malone	Steagall
Doyle (Marengo)	Maner	Turner
Elrod	Mastin	Vann
Foster	Moore	Weaver
Fuller	Parker	Wolff
Glover	Peete	

—56.

MOTION TO TAKE FROM ADVERSE CALENDAR.

On motion of Mr. Goodwyn, the bill, S. 574, was taken from the adverse calendar and referred to a committee of the whole House.

The Speaker named Mr. Haley as chairman of the committee of the whole House.

COMMITTEE OF THE WHOLE.

On motion of Mr. Tunstall, the committee rose and reported favorably to the House the bill, S. 574.

And the bill:

S. 574. To create a commission whose duty it shall be to erect a statute of the late Mr. Jefferson Davis in front of the capitol in the city of Montgomery, Alabama, and to appropriate the sum of ten thousand dollars for the purpose of erecting such statute.

Was read a second time, and placed on the calendar.

BILLS ON THIRD READING.

S. 557. To create the office of official stenographer for Walker county, Alabama, to provide for his appointment, fix his compensation and define his duties, and provide for special stenographers in certain cases.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Power
Arnold	Henley	Pratt
Avery	Jenkins	Price
Baltzell	John	Pugh
Barton	Jones	Ragsdale
Benners	King	Rainer
Bloch	Kirby	Rattray
Brown	Lacy (Walker)	Rice
Bulger	Lancaster	Rowe
Burney	Lawson	Sample
Cannon	Lindsey	Sanders
Cooper	Lyons	Sanford
Cranford	Malone	Seale
Crum	Maner	Sherrod
Elrod	Mastin	Turner
Foster	Moore	Vann
Fuller	Parker	Weaver
Glover	Pearson	Wolff
Gunter	Peete	

—56.

S. 435. To confer on the governing bodies of towns and cities, which own and operate dispensaries in counties where no part of the net profits of such dispensaries are divided with the counties in which they are so owned and operated, the right, power and authority to give to such counties a part of the net profits of such dispensaries, not exceeding forty per cent thereof, to be used and expended by the governing bodies of such counties in the improvement of the public roads of such county or counties.

Was read a third time, at length, and passed.

Yeas, 55; nays, 1.

Yeas:

Messrs:—

Speaker	Gunter	Parker
Arnold	Haley	Pearson
Avery	Henley	Power
Baltzell	Hoffman	Pratt
Barton	Jenkins	Price
Benners	John	Pugh
Bloch	Jones	Rainer
Brown	Killen	Rattray
Bulger	King	Rice
Burney	Kirby	Rowe
Cannon	Lawson	Sample
Cooper	Lindsey	Sanders
Crum	Lyons	Sanford
Dudley	Malone	Seale
Edwards	Maner	Turner
Elrod	Mastin	Vann
Foster	Moore	Weaver
Fuller	Norville	Woolf
Glover		

—55.

—1.

S. 577. To fix the times and places of holding the circuit courts in the Fifth judicial circuit of Alabama.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on the Judiciary, said Senate amendment being as follows:

Amend the substitute by striking out the word "three" where it appears in the tenth line of section one of the substitute and adding in lieu thereof the word "two."

And the amendment was adopted.

Yeas, 56;; nays, 0.

Yeas:

Messrs:—

Speaker	Gunter	Power
Alford	Haley	Pratt
Arnold	Henley	Price
Avery	Jenkins	Pugh
Baltzell	John	Rainer
Barton	Jones	Rattray
Benners	Killen	Rice
Bloch	King	Rowe
Brown	Kirby	Sample
Bulger	Lawson	Sanders
Cannon	Lindsey	Sanford
Cooper	Lyons	Seale
Crum	Malone	Sherrod
Dudley	Maner	Tunstall
Edwards	Moore	Turner
Elrod	Norville	Vann
Foster	Parker	Weaver
Fuller	Pearson	Wolff
Glover	Peete	

—56.

And the bill:

S. 577. To fix the times and places of holding the circuit courts in the Fifth judicial circuit of Alabama.

As amended was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Cranford	Jenkins
Arnold	Crum	John
Avery	Edwards	Jones
Baltzell	Elrod	Killen
Barton	Foster	King
Benners	Fuller	Kirby
Bloch	Glover	Lawson
Brown	Goodwyn	Lyons
Bulger	Gunter	Malone
Cannon	Haley	Maner
Cooper	Henley	Mastin

Moore	Ragsdale	Sanford
Parker	Rainer	Seale
Pearson	Rattray	Sherrod
Peete	Rice	Turner
Power	Rowe	Vann
Pratt	Rushton	Weaver
Price	Sample	Woolf
Pugh	Sanders	

—56.

S. 629. To amend an act entitled "an act to establish a board of revenue for Jefferson county, and for the abolishment of the court of county commissioners of said county.

Was read a third time, at length, and passed.

Yeas, 56; nays, 0.

Yeas:

Messrs:—

Speaker	Haley	Price
Arnold	Jenkins	Pugh
Avery	John	Ragsdale
Baltzell	Jones	Rainer
Barton	Killen	Rattray
Benners	King	Rice
Bloch	Kirby	Rowe
Brown	Lindsey	Sample
Bulger	Lyons	Sanders
Burney	Malone	Sanford
Cooper	Maner	Seale
Cranford	Mitchell	Sherrod
Crum	Moore	Tunstall
Dudley	McDuffie	Turner
Elrod	Parker	Vann
Foster	Pearson	Weaver
Fuller	Peete	Williams
Glover	Power	Woolf
Gunter	Pratt	

—56.

SPECIAL ORDERS.

On motion of Mr. Arnold, the bill S. 314 was made a special, paramount, continuing order for tomorrow immediately after the approval of the journal.

On motion of Mr. Goodwyn, the bill S. 574 was made a special, paramount, continuing order after S. 314.

On motion of Mr. Woolf, the bill S. 519 was made a paramount, continuing order after S. 574.

On motion of Mr. Pitts, of Perry, the bill S. 428, was made a special, paramount, continuing order after S. 519.

On motion of Mr. King, the bill S. 284 was made a paramount, continuing, special order for tomorrow at 12 o'clock.

BILL TAKEN FROM THE TABLE.

On motion of Mr. Haley, the vote by which the bill, S. 510, was laid upon the table, was reconsidered.

And the bill:

S. 510. To authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county.

As amended, was read a third time, at length, and passed.

Yeas, 56; nays, 1.

Yeas:

Messrs:—

Speaker	Crum	Jones
Arnold	Elrod	Killen
Avery	Foster	King
Baltzell	Fuller	Kirby
Barton	Glover	Lawson
Benners	Gunter	Lindsey
Bloch	Haley	Lyons
Brown	Henley	Malone
Bulger	Hoffman	Maner
Burney	Jenkins	Mastin
Cooper	John	Moore

Oliver	Kagsdale	Seale
Parker	Rainer	Sherrod
Pearson	Rice	Turner
Peete	Rowe	Urquhart
Power	Rushton	Vann
Pratt	Sample	Weaver
Price	Sanders	Woolf
Pugh	Sanford	

—56.

Nays:

Mr. Cannon

—1.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bills:

H. 916. To establish a high school for Dale county, to be located at Ozark, Alabama.

H. 863. To establish a normal school for education of white male and female teachers at Moundville, in Hale county, Alabama.

H. 324. To define and regulate negotiable instruments.

And herewith returns the same to the House.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. President:

The Senate accedes to the request of the House for a committee of conference of the two Houses on the Senate amendments to:

H. 1233.. To make it unlawful for any person to carry about his person a pistol or firearm of any other kind or description, or air gun, other than on his own premises or from the place of purchasing such firearm or air gun, to his premises or place of business, shorter than twenty-four inches in length, and to fix the burden of proof and the punishment for the violation thereof.

Committee on the part of the Senate: Messrs. Hinson, Reese and Thomas.

And returns said bill herewith to the House.

J. A. Kyle, Secretary.

ADJOURNMENT.

On motion of Mr. Tunstall, the House adjourned until 8:30 tomorrow morning.

FIFTIETH DAY.

House of Representatives,
Wednesday, Aug. 7th, 1907.

The House met pursuant to adjournment.

The session was opened with prayer by the Rev. Harry L. Martin, of Ozark.

ROLL CALL.

On a call of the roll of the House, the following members answered to their names:

Messrs:—

Speaker	Coleman (Marshall)	Hoffman
Arnold	Cooper	Hughston
Arrington	Cranford	Jenkins
Avery	Crum	John
Ballard (Autauga)	Doyle (Marengo)	Jones
Ballard (Pike)	Dudley	Killen
Baltzell	Edwards	King
Barton	Elrod	Kirby
Benners	Foster	Kornegay
Bloch	Fuller	Lacy (Dallas)
Brown	Glover	Lacy (Walker)
Bulger	Goodwyn	Lancaster
Burney	Gunter	Lawson
Cannon	Haley	Lee (Barbour)
Carmichael (Clay)	Lenley	Lee (Etowah)

Lee (Houston)	Peete	Seale
Lindsey	Pitts (Dallas)	Sherrod
Long (Butler)	Pitts (Perry)	Smith (Elmore)
Long (Morgan)	Powell (Bullock)	Smith (Etowah)
Lovelady	Powell (Covington)	Smith (Franklin)
Lyons	Power	Smith (Lee)
Malone	Pratt	Steagall
Maner	Price	Thompson
Mastin	Pugh	Tunstall
Middleton	Ragsdale	Turner
Mitchell	Ralner	Urquhart
Moore	Rattray	Vann
McCrary	Rice	Weaver
McDuffie	Rowe	White (Lamar)
McMillan	Rushton	White (Perry)
Norville	Sample	Williams
Parker	Sanders	Woolf
Pearson	Sanford	

—98.

A quorum was present.

JOURNAL.

The chairman of the standing committee on Revision of the Journal made the following report:

Mr. Speaker:

Your committee on the Revision of the Journal begs leave to report as follows:

We have examined the journal for the Forty-ninth day and find the same to be correct.

H. B. Steagall,
Chairman.

The report of the committee was concurred in and the journal for the 49th day was approved.

BILLS ON THIRD READING.

S. 635. To amend sections 426, 427, 431, 434, and 456 of the Code of 1896.

Was read a third time, at length, and passed.

Yeas, 57; nays, 0.

Yeas:

Messrs:—

Speaker	Foster	Pitts (Dallas)
Arnold	Fuller	Pitts (Perry)
Arrington	Glover	Powell (Covington)
Avery	Gunter	Power
Ballard (Autauga)	Hailey	Pratt
Baltzell	Hoffman	Pugh
Barton	Hughston	Ragsdale
Benners	Jones	Rainer
Bloch	Killen	Rattray
Brown	Kirby	Rice
Bulger	Lawson	Rowe
Cannon	Lee (Etowah)	Sanders
Carmichael (Clay)	Lindsey	Sanford
Coleman (Marshall)	Long (Butler)	Smith (Elmore)
Cooper	Mitchell	Smith (Franklin)
Cranford	McMillan	Smith (Lee)
Crum	Parker	Vann
Doyle (Marengo)	Pearson	White (Lamar)
Edwards	Peete	White (Perry)

—57.

RESOLUTIONS.

The following resolutions were introduced:

By Mr. Long, of Butler:

H. R. 358. Resolved, that the House of Representatives accept the invitation of Senator Joseph F. Johnston and that when the House adjourns at one o'clock it will recess until four o'clock.

On motion of Mr. Long, of Butler, the rules were suspended and the resolution adopted.

By Mr. John:

H. J. R. 359. Resolved, that the two Houses recess to-day from one to four p. m., and that no bill shall be put upon its passage after six o'clock p. m.

On motion of Mr. John, the rules were suspended and the resolution was adopted.

By Mr. Hoffman:

H. J. R. 360. Be it resolved, by the House of Representatives, the Senate concurring, that it is the sense of the Legislature of Alabama, when an intelligent electorate of a sovereign State by an overwhelming vote at the ballot box, the correctness of which has never been challenged, placed the entire people of the State of Alabama on record as pledging themselves and their representatives in both the Legislature and executive departments to reforms which would secure equal justice to all, the position of such electorate should be made a matter of permanent record.

That this Legislature has diligently and industriously endeavored to enact laws conforming to the policies outlined in the Democratic platform to correct the abuses in this State which had become so apparent and obnoxious that the whole State rose against them. Among the laws enacted are many to protect the lives of our citizens and punish the criminal who disobeys or violates such laws. Others to protect the property rights of the citizens and still others to regulate public service corporations within this State. All of these laws have been enacted by the solemn authority of the people of Alabama and should be obeyed. To secure obedience is not within the province of the Legislature of Alabama, but this great responsibility rests upon the executive officers of the State.

Absolute disregard of law is the teachings of anarchy, and precludes the existence of society in a civilized State. When a great corporation wilfully and knowingly violates a law, for the purpose of showing its contempt for the statute of a sovereign State, or for the purpose of placing a poor plaintiff to the disadvantage of a different procedure, it amounts to the same wilful violation of law, for which the criminal often forfeits his life. In one case you have to deal with a human being, in the other with a great corporation. No one can deny the responsibility resting upon the executive of a State in such a case, and to him alone can the people look for the enforcement of their laws.

It is therefore further resolved, that the Legislature of Alabama in this manner approves and applauds the courageous determination of the Honorable Braxton Bragg Comer to carry into effect the enactments of this Legislature, and we now pledge him our hearty support and co-operation in all matters affecting these great issues, to the end that the will of the people and not of the corporation shall govern. Should he find himself encompassed with difficulties necessitating further legislation, the Legislature pledges itself to carefully do all that is necessary to carry out the platform of the Democratic party.

Rules.

By Mr. Maner:

H. J. R. 361. Be it resolved by the House of Representatives, the Senate concurring, that our representatives in the Congress of the United States from the State of Alabama be requested to do all in their power to secure the passage of a Federal law prohibiting interstate shipments of intoxicating liquors or beverages into prohibition districts of the various States.

Rules.

By Mr. Maner:

H. J. R. 362. Be it resolved by the House of Representatives, the Senate concurring therein, that the several Federal courts in Alabama be respectfully requested to enforce section 3239 of the revised statutes of the United States which requires tax stamps issued to liquor dealers by the United States to be posted in a conspicuous place.

Rules.

REPORT OF RULES COMMITTEE.

Mr. John, from the committee on Rules, returned to the House the following resolutions with a favorable report:

H. R. 341, 335, 346, 347, 349, 351, and 356.

And the resolutions were adopted.

And the following resolutions with an adverse report:

H. R. 342, 355, 357.

BILLS ON THIRD READING.

S. 503. To further regulate and prohibit the sale or other disposition of spirituous, vinous, malt or intoxicating liquors, or the issuing of prescriptions by physicians for the sale or other disposition of such liquors.

Was read a third time, at length, and passed.

Yeas, 54; nays, 0.

Yeas:

Messrs:—

Speaker	John	Pratt
Arnold	Jones	Price
Avery	Killen	Pugh
Benners	King	Ragsdale
Cannon	Kornegay	Rattray
Carmichael (Clay)	Lacy (Dallas)	Rice
Coleman (Marshall)	Lawson	Rowe
Cooper	Lee (Barbour)	Sample
Cranford	Long (Butler)	Sanders
Crum	Lovelady	Sanford
Doyle (Marengo)	Malone	Sherrod
Edwardes	Maner	Smith (Elmore)
Elrod	Mitchell	Smith (Franklin)
Foster	Moore	Steagall
Fuller	McMillan	Turner
Glover	Pearson	Vann
Haley	Pitts (Perry)	White (Lamar)
Hoffman	Power	Woolf

—54.

S. 123. To amend section 12 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their widows, approved the 10th day of February, 1899.

Was read a third time, at length, and passed.

Yeas, 62; nays, 0.

Yeas:

Messrs:—

Speaker	Avery	Benners
Arnold	Baltzell	Brown
Arrington	Barton	Bulger

SENATE MESSAGE.

On motion of Mr. Glover, the House acceded to the request of the Senate for a committee of conference on the disagreement of the two Houses on the House amendment to the bill, S. 510. Committee on part of the House: Messrs. Glover, John and Parker.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills:

S. 347. To establish and maintain a State sanatorium for consumption and tuberculosis, and to provide for disseminating information upon the nature, treatment and cure of tubercular diseases, and to make appropriations therefor.

S. 363. To amend section 2240 of the Code of Alabama of 1896, and to appropriate the sum of six hundred dollars for the secretary of the Senate and the clerk of the House, respectively, for filing and arranging the papers of their respective Houses in the office of the secretary of state and copy and deliver to the public printer the journals of their respective Houses, with proper indexes thereto.

S. 399. To amend sections 2, 3 and 4 of an act entitled "An act to regulate railroads and other common carriers in this State, to secure reasonable rates and adequate service and prevent unjust discrimination in their public service, and prescribe penalties for violation thereof," approved February 23, 1907.

S. 398. To further prescribe the powers of the railroad commission of Alabama and to authorize it to change any classification of railroads or of any articles of freight, or any rates or charges for the transportation of freight or passengers which have been, or which may hereafter be, prescribed by statute, or any prevailing rates or charges for such transportation which have been, or which may hereafter be, by statute made the maximum rates.

S. 343. To require and regulate the giving of bills of lading or receipts for property received by any common carrier, railroad or transportation company for transportation, originating and terminating within this State, and to fix the liability of the initial carrier for any loss injury or damage to such property and prohibit the limitation of such liability by contract.

S. 150. To regulate the running of automobiles or traction engines or portable engines on the public highways in the State of Alabama, and to fix the liability of any owner or person running or operating an automobile or traction engine or portable engine over or along the public highways in this State for any injury done to persons or property and to provide a penalty for the violation of the provisions of this act.

S. 603. To reimburse the governor's contingent fund the amount expended therefrom in paying the funeral expenses of the late William L. Martin, who at the time of his death was Speaker of the House of Representatives, and to make an appropriation therefor.

S. 513. To amend an act to provide for the inspection of jails and almshouses and cotton mills, by adding section 12, to provide for office expenses.

S. 520. To amend an act entitled an act to create a railroad commission to be known as the Railroad Commission of Alabama, to define its duties and powers and provide for its mode of procedure and prescribe penalties for violation of its orders, approved 23rd day of February, 1907.

Your signature thereto is requested.

J. A. Kyle, Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing Senate message.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended, as therein shown, and as amended has passed House bill:

H. 1249. To regulate the fees of the sheriffs for feeding prisoners confined in jail under charge or conviction of any indictable offense, and to provide the payment therefor.

And returns same herewith to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

Mr. Lyons moved that the House non-concur in the Senate amendment to the bill H. 1249.

And the motion to nonconcur was lost.

And the House concurred in the Senate amendment to the bill H. 1249, said Senate amendment being as follows:

A bill to be entitled an act to regulate the fees of the sheriffs for feeding prisoners confined in jail under charge or conviction of any indictable offense, and to provide for payment therefor.

Section 1. Be it enacted by the Legislature of Alabama, That the sheriffs shall receive for feeding each prisoner in jail under charge or conviction of any indictable offense, to be paid by the State, according to the following scale, viz.: For each prisoner when the number does not exceed ten, fifty cents per day. And for each additional prisoner when the number exceeds ten does not exceed twenty, forty cents per day. And for each additional prisoner when the number exceeds twenty and does not exceed thirty, thirty cents per day. And for each additional prisoner when the number exceeds thirty and does not exceed fifty, twenty-five cents per day. And for each additional prisoner when the number exceeds fifty, twenty cents per day.

Section 2. All laws and parts of laws in conflict or inconsistent herewith are hereby repealed.

Yeas, 60; nays, 20.

Yeas:**Messrs:—**

Speaker	Kirby	Powell (Bullock)
Arnold	Kornegay	Power
Avery	Lacy (Dallas)	Pugh
Barton	Lawson	Ragsdale
Penners	Lee (Houston)	Rattray
Brown	Long (Butler)	Rice
Bulger	Long (Morgan)	Rowe
Carmichael (Clay)	Malone	Rushton
Coleman (Marshall)	Maner	Sample
Cooper	Mastin	Sanders
Crum	Middleton	Sanford
Doyle (Marengo)	Mitchell	Sherrod
Dudley	McCrory	Smith (Elmore)
Elrod	McDuffie	Smith (Franklin)
Fuller	McMillan	Smith (Lee)
Haley	Parker	Turner
Hughston	Pearson	Urquhart
John	Peete	Weaver
Killen	Pitts (Dallas)	White (Lamar)
King	Pitts (Perry)	White (Perry)

—60.

Nays:**Messrs:—**

Burney	Hoffman	Norville
Cannon	Lacy (Walker)	Powell (Covington)
Edwards	Lancaster	Rainer
Foster	Lee (Etowah)	Seale
Goodwyn	Lindsey	Vann
Gunter	Lyons	Williams
Henley	Moore	

—20.

BILLS ON THIRD READING.

S. 551. To submit to the qualified electors of the State at the general election to be held on the first Tuesday after the first Monday in November, 1908, for their consideration an amendment to section 93 of Article IV, of the Constitution so as to provide that the State may under appropriate laws cause the net proceeds from

the State convict funds to be applied to the construction, repair and maintenance of public roads for the State and the Legislature may also make additional appropriations for that purpose.

Was read a third time, at length, and passed.

Yeas, 71; nays, 4.

Messrs:—

Speaker	Henley	Pitts (Dallas)
Arnold	Hoffman	Pitts (Perry)
Avery	Hughston	Powell (Covington)
Baltzell	Jenkins	Power
Barton	John	Pratt
Benners	Killen	Pugh
Bloch	King	Ragsdale
Brown	Lacy (Dallas)	Rainer
Bulger	Lacy (Walker)	Rice
Burney	Lancaster	Rowe
Cannon	Lawson	Sanford
Carmichael (Clay)	Lindsey	Seale
Coleman (Marshall)	Long (Morgan)	Sherrod
Cooper	Lovelady	Smith (Elmore)
Cranford	Lyons	Smith (Franklin)
Crum	Malone	Smith (Lee)
Doyle (Marengo)	Mitchell	Tunstall
Edwards	Moore	Turner
Elrod	McCrory	Urquhart
Foster	McDuffie	Vann
Fuller	McMillan	White (Lamar)
Glover	Norville	White (Perry)
Goodwyn	Parker	Williams
Haley	Pearson	

—71

Nays:

Messrs:—

Ballard (Pike)	Sample	Sanders
Rushton		

—4.

S. 507. To appropriate four thousand (\$4,000.00) dollars out of moneys arising from the sale of fertilizer tags, sale of licenses, or any other funds collected by the department of Agriculture and Industries and paid

into the State treasury, not otherwise appropriated for the use of the Department of Agriculture and Industries for the purpose of holding Farmers' Institutes, conducting experiments, gathering statistics, and for carrying out all laws now in existence or may hereafter be enacted for the betterment of the agricultural interests of the State.

Was read a third time, at length, and passed.

Yeas, 46; nays, 18.

Yeas:

Messrs:—

Speaker	Fuller	McCrory
Arnold	Glover	McMillan
Ballard (Autauga)	Goodwyn	Pitts (Dallas)
Ballard (Pike)	Gunter	Pitts (Perry)
Baltzell	Haley	Power
Barton	Henley	Pugh
Benners	Hoffman	Ragsdale
Bloch	John	Rowe
Brown	Kirby	Sample
Bulger	Lancaster	Sanders
Burney	Lawson	Sanford
Carmichael (Clay)	Lee (Barbour)	Smith (Elmore)
Cranford	Lindsey	Tunstall
Crum	Maner	Urquhart
Dudley	Middleton	White (Perry)
Foster		

Nays:

—46.

Messrs:—

Hughston	Mastin	Rainer
Killen	Moore	Rattray
King	McDuffie	Rice
Long (Butler)	Parker	Smith (Franklin)
Long (Morgan)	Peete	White (Lamar)
Lovelady	Powell (Covington)	Williams

—18.

RECESS.

Under a House joint resolution heretofore adopted, the House recessed until 4 p. m.

AFTERNOON SESSION.

The hour of 4 o'clock having arrived, the House reconvened.

RESOLUTION.

The following resolution was introduced :

By Mr. Foster :

H. R. 363. Be it resolved by the House, that the clerk of the House and assistant clerk of the House and three assistants to be named by the clerk, be allowed 4 weeks to finish the work now on hand, and that they be allowed the same per diem as they now receive to be paid in the same manner.

On motion of Mr. Sherrod, the rules were suspended and the resolution was adopted.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker :

Your committee on Enrolled Bills have examined the following House bills and beg leave to report the same correctly enrolled :

H. 360. To prohibit the selling, giving away or otherwise disposing of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any of the voting precincts of Crenshaw county, Alabama, and to make it unlawful for the probate judge of said county to issue license to any person, firm or corporation to sell, give away or otherwise dispose of spirituous, vinous or malt liquors or other intoxicating liquors or beverages in any precinct of said county until the proposition shall have first been submitted to the qualified voters of the precinct in which the aforesaid liquors are to be sold, given away or otherwise disposed of, and to provide for an election therefor and the expense of holding an election and to punish the violations of the provisions of this act.

H. 1362. To establish a dispensary in and for the town of "Floral" in the county of Covington, State of Alabama, and to provide for the conduct and regulation of the same.

H. 1391. To prescribe the rules of evidence upon applications of confederate soldiers or sailors, resident citizens of Alabama, and their widows for pensions under the pension laws of Alabama as to proving the fact of service in the confederate army, or in the State troops of Alabama and that they did not desert, and to provide for a special session of State and county boards of examiners during the year 1907 for the examination of applicants, and to repeal all laws and parts of laws in conflict with this act.

H. 113. To regulate the ginning of cotton for toll or hire in this State. To require all ginners of cotton for hire or toll to register all cotton brought to their gins in the name of the owner thereof, so far as can be ascertained, and to require the ginners of cotton for hire or toll to mark every bale of cotton ginned by them with proper marks or initials of the owner thereof, so that the same can be identified; and to require the ginner to keep a register of said marks in a book which shall be open to the public for inspection and to punish violators of said act.

H. J. R. 348. Relating to memorializing Congress for deep water in Mobile bay.

H. 1090. To create the Sixteenth judicial circuit for the State of Alabama, to be composed of the counties of Blount, Etowah and St. Clair, to confer equity jurisdiction on said court as to matters arising in Blount and St. Clair counties, and to provide for registers in chancery therein; to provide for the appointment and election of a judge and solicitor for said circuit and fix their salaries, and for the removal of pending causes and for the remanding of pending appeals to the new court; to regulate the convening of grand and petit juries in said circuit and to authorize the judge of said circuit to adopt reasonable rules of practice to facilitate the business of the courts therein; to fix the time of holding courts in said circuit and places at which such courts

shall be held and to require that a jury be demanded in civil causes.

H. 863. To establish a normal school for education of white male and female teachers at Moundville, in Hale county, Alabama.

H. 1397. To amend an act to make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State, for the interest on the public debt and for public schools.

H. 25. To define corrupt solicitation of legislators and provide adequate punishment therefor and the means to effectually enforce this act.

H. 937. To amend section 5 of an act entitled an act "To establish a home for indigent confederate veterans residing in the State of Alabama who are unable to make a livelihood on account of physical disability or old age, and make appropriation for improving and maintaining the same," approved October 6th, 1903.

H. 1323. To appropriate fifteen hundred dollars for the purpose of furnishing and equipping the office of mine inspectors of this State with necessary and suitable furniture, apparatus, machinery and all other necessary instruments.

H. 1359. To provide for the refurnishing and in keeping in repair the State capitol and the several offices therein, and to provide for the improvement and keeping in order the State capitol grounds.

H. 324. To define and regulate negotiable instruments.

H. 1249. To regulate the fees of sheriffs for feeding prisoners confined in jail under charge or conviction of any indictable offense and to provide the payment therefor.

J. S. Williams, Chairman.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum pres-

ent, signed the bills and H. J. resolution, the titles to which are set out in the above and foregoing report from the committee on Enrolled Bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has originated and adopted the following Senate joint resolution:

JOINT RESOLUTION.

S. J. R. 133. Whereas, Dr. Wm. P. Spratling, of Sonyea, New York, has generously offered to donate to the State of Alabama 400 acres of land lying in Chambers county, this State, for a site for an epileptic colony to be established in the State; and whereas the Legislature of Alabama duly appreciates this timely offer; therefore, be it resolved by the Senate, the House of Representatives concurring, that the thanks of the Legislature be tendered the said Dr. Spratling, and a copy of this resolution be forwarded to him.

And sends same herewith to the House.

And the Senate has concurred in the House amendments to:

S. 546. To amend sections 1, 2, 4, 5, 6, 8, 9, 13, 14 and 15 of an act entitled "An act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphates, fertilizer materials and chemicals in the State of Alabama," approved March 3, 1903..

S. 314. To provide for the taking of the census of the school children in the State of Alabama, and to provide punishment for the making of false enumerations.

S. 577. To fix the times and places of holding the circuit courts in the Fifth judicial circuit of Alabama.

And has amended, as therein shown, and as amended has passed:

H. 1287. To legalize the registration of, and to make self-proving, deeds of conveyance which have been recorded in the office of the judge of probate of the proper

county before the passage of this act, but not within the time heretofore required by law.

And herewith returns same to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. John, the House concurred in and adopted the Senate joint resolution No. 133.

And on motion of Mr. Foster, the House concurred in the Senate amendment to the bill H. 1287, said Senate amendment being as follows:

Amend by adding to the caption at the end thereof the following: "And all such conveyances as shall be recorded within two years after the approval of this act." Also amend by inserting after the word "law" in the seventh line of section 1 the following: "And all such conveyances as shall be recorded within two years after the approval of this act."

Yeas, 55; nays 2.

Yeas:

Messrs:—

Speaker	Jones	Peete
Arnold	Killen	Pitts (Dallas)
Avery	King	Pitts (Perry)
Ballard (Autauga)	Kirby	Powell (Bullock)
Ballard (Pike)	Kornegay	Power
Baltzell	Lacy (Walker)	Pratt
Benners	Lancaster	Price
Burney	Lawson	Pugh
Cannon	Lee (Houston)	Rice
Carmichael (Clay)	Long (Butler)	Rowe
Coleman (Marshall)	Malone	Sanders
Cooper	Maner	Sanford
Doyle (Marengo)	Middleton	Smith (Franklin)
Foster	Mitchell	Smith (Lee)
Glover	Moore	Steagall
Goodwyn	McMillan	Weaver
Gunter	Parker	White (Perry)
Haley	Pearson	Woolf
Henley		

Nays:

Messrs

Lee (Barbour)

Sherrod

—2.

GOVERNOR'S MESSAGE.

On motion of Mr. King, the House concurred in and adopted the amendment proposed by the governor to the bill H. 929, said governor's amendment being as follows:

To the House of Representatives:

I herewith return H. B. 929 entitled "An act to alter or re-arrange the boundary lines of the city of Birmingham, Alabama," and I suggest the following amendment thereto, viz.:

Amend said bill by striking out the following words and figures where said words and figures occur together, to-wit:

"Thence westwardly along the north boundary of said right of way of said Birmingham Mineral Railroad Company to the east corporate line of North Birmingham; thence south along said eastern corporate line of North Birmingham to the center of Village creek; thence west along the center of Village creek to the center of Tennessee road where said road crosses Village creek; thence southwestwardly along center of Tennessee road to a point in center of Twenty-third avenue in North Birmingham; thence west along Twenty-third avenue to the county sewer; thence along center of said county sewer to the west boundary line of North Birmingham; thence north along the west boundary line of North Birmingham to center of Village creek," and substitute in lieu thereof the following words and figures, to-wit:

"Thence westward along the north boundary of said right of way of the said Birmingham Mineral Railroad Company to the western boundary of the north-east quarter of the south-west quarter of section 18, township 17, south, range 2, west; thence north to the north-west corner of the north-east quarter of the south-west

quarter of said section 18, township 17, south, range 2, west; thence west to the south-west corner of the south-east quarter of the north-west quarter of section 13, township 17, south, range 3, west; thence north to the north-west corner of the south-east quarter of the north-west quarter of said section 13, township 17, south, range 3, west; thence west to the south-east corner of the north-east quarter of the north-east quarter of section 15, township 17, south, range 3, west; thence south along the east line of said section 15, township 17, south, range 3, west, to the boundary line of the town of North Birmingham; thence southward and westward along the western boundary line of said North Birmingham broken to the center of Village creek”;

Aug. 7, 1907.

B. B. Comer,
Governor.

Yeas, 57; nays, 2.

Yeas:

Messrs:—

Speaker	Haley	Pitts (Dallas)
Arnold	Henley	Pitts (Perry)
Avery	Hoffman	Power
Ballard (Autauga)	John	Pugh
Ballard (Pike)	Jones	Rice
Baltzell	Killen	Rowe
Benners	King	Rushton
Bloch	Kirby	Sample
Burney	Kornegay	Sanders
Cannon	Lawson	Sherrod
Carmichael (Clay)	Lee (Barbour)	Smith (Franklin)
Coleman (Marshall)	Lee (Etowah)	Smith (Lee)
Crum	Maner	Steagall
Dóyle (Marengo)	Mastin	Tunstall
Elrod	Middleton	Turner
Foster	McDuffie	Weaver
Fuller	Parker	White (Perry)
Goodwyn	Pearson	Williams
Gunter	Peete	Woolf

—57.

Nays:

Messrs

Lacy (Dallas) Lacy (Walker)

—2.

On motion of Mr. John, the House concurred in and adopted the amendment proposed by the governor to the bill, H. 558, said governor's amendment being as follows:

House of Representatives:

I herewith return H. B. 558, entitled "An act to regulate the employment of child labor in certain mills, factories and manufacturing establishments in this State and to provide for the inspection of the rooms, places and premises wherein they are worked and to adequately punish violations of this act.

I suggest the following amendments to said bill, viz:

1. Amend section one by inserting therein immediately after the words "establishment in this State," where said words first occur together in said section, the following words and figures: "and this provision shall be in force and effect from and after January 1, 1908. Further amend said section by striking out therefrom the following words: "one year after this bill becomes a law," and by inserting in lieu thereof the following words, viz.: "one year after the provisions of this section as above set forth go into force and effect."

2. Further amend said bill by adding at the end of section two thereof the following words and figures, viz.: "the provisions of this section shall be in force and effect from and after January 1, 1908."

3. Further amend said bill by adding thereto at the end of section three the following words and figures, viz.: "the provisions of this section shall be in force and effect from and after January 1, 1908."

B. B. Comer, Governor.

Yeas, 50; nays, 13.

Yeas:

Messrs:—

Speaker	Bulger	Edwards
Arnold	Burney	Elrod
Avery	Cannon	Foster
Ballard (Autauga)	Carmichael (Clay)	Fuller
Ballard (Pike)	Crum	Glover
Barton	Doyle (Marengo)	Haley

Henley	Lee (Houston)	Pugh
John	Long (Butler)	Rattray
Jones	Long (Morgan)	Rice
Killen	Maner	Rowe
King	Mitchell	Rushton
Kirby	Moore	Smith (Franklin)
Kornegay	McMillan	Smith (Lee)
Lancaster	Pitts (Perry)	Steagall
Lawson	Powell (Bullock)	Vann
Lee (Barbour)	Power	White (Perry)

—50.

Nays:

Messrs:—

Coleman (Marshall)	Pitts (Dallas)	Tunstall
Goodwyn	Pugh	Turner
Lacy (Dallas)	Sample	Weaver
Lacy (Walker)	Sherrod	Williams
Parker		

—13.

MESSAGE FROM THE SENATE.**Mr. Speaker:**

The Senate has received the following message from his excellency, the governor, with his objections to and proposed amendments of Senate bill No. 384:

To the Senate:

I herewith return S. B. 384, entitled an act providing for the establishment of high schools in this State and to make appropriations for said schools.

I suggest the following amendment thereto, viz.: Amend said bill by adding the following section, viz.:

Sec. 9. That this act shall not go into effect until the governor shall decide that the condition of the treasury will admit of the appropriation herein made.

B. B. Comer, Governor.

And the Senate has amended the bill as proposed by the governor by adopting and concurring in such proposed amendment.

Yeas, 26; nays, 0.

Which was a majority of the whole number elected to the Senate, and the Senate herewith sends said bill, with the governor's message and proposed amendment, to the House of Representatives.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Bulger, the House concurred in and adopted the amendment proposed by the governor to the bill S. 384, said governor's amendment being as follows:

To the Senate:

I herewith return S. B. 384, entitled an act providing for the establishment of high schools in this State and to make appropriations for said schools.

I suggest the following amendment thereto, viz.: Amend said bill by adding the following section, viz.:

Sec. 9. That this act shall not go into effect until the governor shall decide that the condition of the treasury will admit of the appropriation herein made.

Aug. 7, 1907.

B. B. Comer,
Governor.

Yeas, 60; nays, 7.

Yeas:

Messrs:—

Speaker	Carmichael (Clay)	Henley
Arnold	Coleman (Marshall)	Hoffman
Arrington	Cooper	Hughston
Avery	Cranford	Jenkins
Ballard (Autauga)	Crum	John
Ballard (Pike)	Doyle (Marengo)	Killen
Baltzell	Dudley	King
Barton	Elrod	Kirby
Benners	Foster	Kornegay
Bloch	Fuller	Lee (Barbour)
Brown	Glover	Long (Butler)
Bulger	Goodwyn	Long (Morgan)
Burney	Gunter	Malone
Cannon	Haley	Maner

Mastin	Pitts (Perry)	Smith (Elmore)
Middleton	Powell (Bullock)	Smith (Franklin)
Mitchell	Power	Smith (Lee)
Moore	Pratt	Steagall
McCrory	Rice	Tunstall
Norville	Sherrod	Turner

—60.

Nays:

Messrs:—

Lacy (Dallas)	Parker	Weaver
Lacy (Walker)	Powell (Covington)	Williams
McDuffie		

—7.

MESSAGE FROM THE SENATE.**Mr. Speaker:**

The Senate has received the accompanying message from his excellency, the governor, proposing an amendment to S. B. 509, To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof and to prescribe the penalties for violation of the provisions of this act."

And the Senate has amended the bill as proposed by the governor by adopting and concurring in such proposed amendment.

Yeas, 25; nays, 1.

Which is a majority of the whole number elected to the Senate, and the Senate herewith sends said bill, with the governor's message and proposed amendment, to the House of Representatives.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Gunter, the House concurred in and adopted the amendment proposed by the governor to the bill S. 509, said governor's amendment being as follows:

To the Senate:

I herewith return Senate bill No. 509, entitled "An act to provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof and to prescribe the penalties for violation of the provisions of this act."

And suggest that said bill be amended as follows:

1. Amend said bill by adding thereto the following:

Section 20 1-2. The council of any city that alters and re-arranges its boundary line so as to absorb two or more cities and towns, shall have the power to exempt from taxation for a period of not exceeding five years, any industrial or manufacturing plant situated in the territory added to said city, provided said term of exemption shall not be renewed or extended. The council of any city or town shall also have the power to exempt from taxation for a period not to exceed ten years, any industrial or manufacturing plant that may be established in said city, after the passage of this act; provided said term of exemption shall not be renewed.

2. Amend section seventy-two of said bill by adding to the end thereof the following:

"The council shall designate the persons who shall administer oaths and issue warrants of arrest for violations of law and the ordinances of a city or town; and the persons authorized to approve appearance bonds of persons arrested."

3. Amend section seventy-six of said bill by striking out subdivision thirteen thereof and inserting in lieu of said sub-division thirteen the following: "(13) No alderman, officer or employee of the municipalities shall be directly or indirectly interested in any work, business or contract, the expense, price or consideration of which is paid from the treasury, nor shall any member of the council or officer of the municipality be surety for any person having a contract, work or business with such municipality, for the performance of which a surety may be required. The award of each contract

for which bids have been submitted, shall be made to the lowest responsible bidder, who may comply with such reasonable regulations as may be prescribed before the bids are called for."

August 7, 1907.

B. B. Comer,
Governor.

Yeas, 59; nays, 0.

Yeas:

Messrs:—

Speaker	Glover	Maner
Arnold	Goodwyn	Mitchell
Ballard (Pike)	Gunter	Moore
Baltzell	Haley	McCrory
Benners	Henley	McDuffie
Bloch	Hoffman	Norville
Brown	Jenkins	Parker
Bulger	John	Pearson
Burney	Jones	Peete
Cannon	Killen	Pitts (Dallas)
Carmichael (Clay)	King	Power
Coleman (Marshall)	Kirby	Pugh
Cooper	Kornegay	Rainer
Cranford	Lancaster	Rice
Crum	Lawson	Rowe
Doyle (Marengo)	Lee (Barbour)	Sample
Dudley	Lee (Etowah)	Sanders
Edwards	Lee (Houston)	Seale
Elrod	Long (Butler)	Tunstall
Foster	Malone	

—59.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate bills:

S. 629. To amend an act entitled "an act to establish a board of revenue for Jefferson county, and for the abolishment of the court of county commissioners of said county."

S. 123. To amend sections 12 and 16 of an act entitled an act for the relief of needy confederate soldiers and sailors, resident citizens of Alabama, and their

widows, approved the 10th day of February, 1899.

S. 620. For the relief of J. C. Webb, Jr., and J. T. Ballow.

S. 497. To provide that no license or tax of any character shall be required by State, county or municipality from the Tennessee Valley Fair Association or from those who conduct business under contract with it on its grounds during the time its annual fair is actually in progress.

S. 635. To amend sections 426, 427, 431, 434 and 456 of the Code of 1896.

S. 486. To further protect and promote the propagation of fish, and to protect private interests in ponds, pools, lakes, or other reservoirs or bodies of water containing fish.

S. 619. For the relief of J. T. Ballow.

S. 108. To provide for paying persons who are convicted of felonies where they appeal to the supreme court when the cause is reversed and remanded or rendered.

S. 435. To confer on the governing bodies of towns and cities, which own and operate dispensaries in counties where no part of the net profits of such dispensaries are divided with the counties in which they are so owned and operated, the right, power and authority to give to such counties a part of the net profits of such dispensaries, not exceeding forty per cent. thereof, to be used and expended by the governing bodies of such counties in the improvement of the public roads of such county or counties.

S. 519. To ratify, confirm and validate loans of money, evidenced by notes or bonds and secured by mortgages, or either, made by any city or town out of any funds belonging thereto.

S. 503. To further regulate and prohibit the sale or other disposition of spirituous, vinous, malt or intoxicating liquors, or the issuing of prescriptions by physicians for the sale or other disposition of such liquors.

S. 562. For the relief of Chas. G. Abercrombie & Company on unexpired license as future dealers.

S. 570. To authorize the auditor on certificate of the board of county examiners to restore confederate pensioners to the pension list and pay unpaid pensions, where through mistake, omission or inadvertence dropped off the list.

Your signature is thereto requested.

J. A. Kyle, Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present signed the bills, the titles to which are set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has concurred in the following House joint resolution :

H. J. R. 361. Relative to requesting representatives in Congress of United States to secure the passage of Federal laws prohibiting inter-state shipments of liquors into prohibition districts in the various States.

H. J. R. 362. Relative to the enforcement by the several Federal courts of section 3239 of the revised statutes of the U. S., etc.

And returns same herewith to the House.

J. A. Kyle, Secretary.

GOVERNOR'S MESSAGE.

On motion of Mr. John, the House concurred in and adopted the amendment proposed by the governor to the bill H. 1339, said governor's amendment being as follows :

To the House of Representatives :

Gentlemen :—I herewith return to you House bill 1339
"Entitled an act to exempt from taxation all property

of any person, firm or corporation that has heretofore patented and owns exclusively, or has heretofore secured and owns exclusively, or shall hereafter patent or own exclusively, or who shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property, and which has not heretofore been manufactured for sale except such property as is devoted exclusively to the manufacture of such articles and to exempt from taxation the stock held by stock holders of such corporation." And suggest that said bill be amended as follows: Amend the caption of the bill by striking out the words "except such property as" and by adding in lieu thereof the word "which" and by adding after the word "article" in the tenth line "And manufactured products." Also amend the bill by adding the words "patent rights" after the word "upon" in the ninth line, and by striking out the word "except such property as" where it occurs in the 9th and 10th lines and substituting in lieu thereof the word "which."

And by adding after the word "article" in the eleventh line the words "And the manufactured products thereof." So that when amended it shall read as follows:

A BILL

To be entitled an act to exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively, or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property, and which has not heretofore been manufactured for sale, which is devoted exclusively to the manufacture of such article, and the manufactured products and patent rights, and to exempt from taxation the stock held by stockholders of such corporation.

Section 1. Be it enacted by the Legislature of Alabama, that any person, firm or corporation who has here-

tofore patented and owns exclusively, or who has heretofore secured and owns exclusively, or shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively, the patent right on any article designed for the purpose of protecting human life and property, which article has not heretofore been manufactured for sale, be exempted for a priod of ten years from the passage of this act from taxation upon all of its property which is devoted exclusively to the manufacture of such article and the manufactured products thereof and patent rights, and that the stock of the stockholders of such corporation be exempt from taxation for said period of ten years.

Section 2. Be it further enacted, That all laws and parts of laws, general or special, in conflict with the provisions of this act be and the same are hereby repealed.

B. B. Comer, Governor.

Yeas, 53; nays, 7.

Yeas:

Messrs:—

Speaker	Haley	Norville
Arnold	Henley	Parker
Baltzell	Hoffman	Pearson
Barton	Jenkins	Peete
Benners	John	Pitts (Dallas)
Bloch	Jones	Pitts (Perry)
Brown	Killen	Powell (Bullock)
Bulger	Kornegay	Pugh
Burney	Lancaster	Ragsdale
Cannon	Lawson	Rice
Carmichael (Clay)	Lee (Etowah)	Sample
Cooper	Lee (Houston)	Sherrod
Crum	Long (Butler)	Smith (Franklin)
Elrod	Lyons	Smith (Lee)
Foster	Malone	Steagall
Fuller	Maner	Tunstall
Glover	Mitchell	Woolf
Goodwyn	Moore	

Nays:

Messrs:—

Edwards

Vann

White (Perry)

Lacy (Walker)

Weaver

Williams

Lee (Barbour)

—7.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has amended, as therein shown, and as amended has passed House bill:

H. 1133. To authorize cities of the State of Alabama having, according to the next preceding Federal census, a population of more than thirty-five thousand, to ~~compel the construction and~~ maintenance of bridges, viaducts and tunnels and their approaches, over, under or across railroad tracks within the city limits; and to provide for defraying the expense of the same.

And returns same herewith to the House.

J. A. Kyle, Secretary.

SENATE MESSAGE.

On motion of Mr. Haley, the House concurred in the Senate amendment to the bill H. 1133, said Senate amendment being as follows:

Amend by adding the following section:

Sec. 3 1-2. The railroad companies so ordered by such governing bodies to construct and maintain viaducts, bridges and tunnels shall have the right to appeal to any court having chancery jurisdiction in the county in which the city is situated, from the order of such governing body and from any order made penalizing such railroad companies for their failure to construct and maintain such viaducts, bridges and tunnels. On such appeal the railroad companies shall give such bond as may be prescribed by said chancery court.

Yeas, 49; nays, 6.

Yeas:**Messrs:—**

Speaker	Edwards	Long (Butler)
Arnold	Elrod	Maner
Avery	Fuller	Mitchell
Ballard (Autauga)	Glover	Pearson
Ballard (Pike)	Goodwyn	Peete
Barton	Haley	Powell (Covington)
Benners	John	Power
Bloch	Jones	Pugh
Brown	King	Ragsdale
Bulger	Kirby	Rice
Burney	Kornegay	Rushton
Cannon	Lacy (Dallas)	Sanders
Carmichael (Clay)	Lancaster	Smith (Franklin)
Coleman (Marshall)	Lee (Barbour)	Turner
Cooper	Lee (Etowah)	Urquhart
Crum	Lee (Houston)	Woolf
Doyle (Marengo)		

..—49.

Nays:**Messrs.**

Jenkins	McDuffie	Weaver
Lacy (Walker)	Sherrod	Williams
Parker		

—6.

MESSAGE FROM THE SENATE.**Mr. Speaker:**

The Senate has concurred in and adopted the amendment proposed by the governor to:

H. 929. To alter or re-arrange the boundary lines of the city of Birmingham, Alabama.

Yeas, 26; nays, 0.

Which was a majority of the whole number elected to the Senate.

J. A. Kyle, Secretary.

BILLS ON THIRD READING.

S. 565. To provide for the establishment of a bureau to collect, compile, and publish cotton statistics, and to

prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof; to require ginners and others to make reports thereto; and to provide penalties for the violation of the provisions of this act.

Was taken up. Mr. Pitts, of Perry, offered the following amendment to the bill:

Amend section 3, by striking out all that part of section beginning with "shall secure a license to operate a ginnery" and substituting therefor the words "shall notify the director of their intention to operate a ginnery during the current season, and requesting such blanks as herein provided for the making of reports." And by striking out section 4. And by striking out the words "and the gross weight of each bale," in line 5 of section 5. And by striking out word "are" in line 7, section 8, and substituting the word "all" in its place.

And the amendment was adopted.

Yeas, 56; nays, 2.

Yeas:

Messrs:—

Speaker	Goodwyn	Pitts (Dallas)
Avery	Haley	Pitts (Perry)
Ballard (Autauga)	Henley	Powell (Bullock)
Ballard (Pike)	Hoffman	Power
Barton	John	Pratt
Bloch	Jones	Fugh
Brown	King	Rainer
Bulger	Kirby	Rattray
Burney	Kornegay	Rice
Cannon	Lacy (Dallas)	Rushton
Carmichael (Clay)	Lacy (Walker)	Sherrod
Coleman (Marshall)	Lee (Barbour)	Smith (Franklin)
Cooper	Lee (Etowah)	Steagall
Cranford	Long (Butler)	Tunstall
Doyle (Marengo)	Middleton	Urquhart
Dudley	Mitchell	Vann
Elrod	Moore	White (Perry)
Foster	McCrory	Woolf
Fuller	McDuffie	

Nays:

Messrs:—

Smith (Elmore)

Weaver

—2.

And the bill:

S. 565. To provide for the establishment of a bureau to collect, compile, and publish cotton statistics and to prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof; to require ginnermen and others to make reports thereto; and to provide penalties for the violations of the provisions of this act.

As amended, was read a third time, at length, and passed.

Yeas, 61; nays, 3.

Yeas:

Messrs:—

Speaker	Haley	McMillan
Arnold	Henley	Pearson
Avery	Hoffman	Pitts (Dallas)
Ballard (Autauga)	John	Pitts (Perry)
Ballard (Pike)	Jones	Powell (Bullock)
Barton	Killen	Power
Bloch	Kirby	Pratt
Brown	Kornegay	Rainer
Bulger	Lacy (Walker)	Rice
Burney	Lancaster	Rowe
Cannon	Lawson	Sanders
Carmichael (Clay)	Lee (Etowah)	Sherrod
Coleman (Marshall)	Lindsey	Smith (Franklin)
Crum	Long (Butler)	Smith (Lee)
Doyle (Marengo)	Lovelady	Steagall
Dudley	Maner	Tunstall
Edwards	Middleton	Turner
Foster	Mitchell	Urquhart
Fuller	Moore	White (Perry)
Glover	McDuffie	Woolf
Goodwyn		

—61.

Nays:
Messrs:—

Baltzell

Sample

Weaver

—3.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has adopted and concurred in the report of the conference committee on the disagreement of the two Houses, on the House amendment to Senate bill No. 510:

S. 510. To authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county.

And sends same herewith to the House.

J. A. Kyle, Secretary.

REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker:

We, the undersigned, who were appointed a conference committee on the part of the Senate and House upon the disagreement of the two Houses upon Senate bill 510 entitled a bill to be entitled an act to authorize the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county, beg leave to report and recommend that the House recede from its amendment and recommend the adoption of the bill by the House as it passed the Senate.

Nathan L. Miller,

H. P. Merritt,

Norman Gunn,

Committee on part of Senate.

J. T. Glover,

Leo. H. Parker,

Committee.

On motion of Mr. Haley, the House concurred in and adopted the report of the conference committee on the

disagreement of the two Houses on the House amendment to the bill S. 510.

Yeas, 56; nays, 3.

Yeas:

Messrs:—

Speaker	John	McDuffie
Benners	Jones	McMillan
Brown	Killen	Pearson
Bulger	King	Pitts (Dallas)
Cannon	Kornegay	Powell (Bullock)
Coleman (Marshall)	Lacy (Dallas)	Power
Crum	Lacy (Walker)	Ragsdale
Doyle (Marengo)	Lancaster	Rattray
Dudley	Lee (Barbour)	Rice
Edwards	Lee (Houston)	Rowe
Elrod	Lindsey	Rushton
Foster	Long (Butler)	Sherrod
Fuller	Malone	Smith (Franklin)
Glover	Maner	Smith (Lee)
Goodwyn	Mastin	Steagall
Gunter	Middleton	Turner
Haley	Mitchell	Urquhart
Henley	Moore	Weaver
Hoffman	McCrory	

—56.

Nays:

Messrs:—

Barton	White (Perry)	Williams
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—3.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House amendment to Senate bill No. 565:

To provide for the establishment of a bureau to collect, compile, and publish cotton statistics, and to prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof, to require ginners and others to make returns thereto; and to provide penalties for the violations of the provisions of this act.

J. A. Kyle, Secretary.

BILLS ON THIRD READING.

S. 552. To fix the time and places of holding the chancery court in the Northeastern chancery division of Alabama.

Was taken up. The question was upon the adoption of the amendment reported by the standing committee on Judiciary, said amendment being as follows:

Amend by striking out of the bill subdivisions seven, eight, nine and ten and insert in lieu thereof the following:

In the Eleventh district, composed of the county of Randolph, at Wedowee, on the first Monday in June and December and may continue three days.

In the First district, composed of the county of Chambers, at Lafayette, on the first Thursday after the first Monday in June and December and may continue three days.

In the Third district, composed of the county of Tallapoosa, at Dadeville, on the second Monday in June and December and may continue three days.

In the Fourth district, composed of the county of Coosa, at Rockford, on the first Thursday after the second Monday in June and December and may continue three days.

And the amendment was adopted.

Yeas, 53;; nays, 1.

Yeas:

Messrs:—

Speaker	Coleman (Marshall)	Jones
Arnold	Doyle (Marengo)	Killen
Arrington	Elrod	King
Ballard (Autauga)	Foster	Kornegay
Ballard (Pike)	Fuller	Lacy (Walker)
Baltzell	Glover	Lawson
Benners	Gunter	Long (Butler)
Bloch	Haley	Malone
Brown	Henley	Mastin
Bulger	Hoffman	Mitchell
Cannon	Hughston	McCrory
Carmichael (Clay)	John	Parker

Pearson	Pugh	Smith (Elmore)
Pitts (Dallas)	Rattray	Smith (Franklin)
Pitts (Perry)	Rowe	Tunstall
Powell (Bullock)	Sample	Vann
Power	Sanford	White (Lamar)
Pratt	Sherrod	

—53.

Nays:

Mr. Rainer

—1.

And the bill:

S. 552. To fix the time and places of holding the chancery court in the Northeastern chancery division of Alabama.

As amended, was read a third time, at length, and passed.

Yeas, 54; nays, 1.

Yeas:

Messrs:—

Speaker	Glover	Peete
Arnold	Haley	Pitts (Dallas)
Avery	Henley	Pitts (Perry)
Ballard (Autauga)	Hoffman	Power
Ballard (Pike)	John	Pugh
Barton	Jones	Rattray
Bloch	Killen	Rowe
Brown	King	Sample
Bulger	Kirby	Sanders
Burney	Kornegay	Sherrod
Cannon	Lancaster	Smith (Elmore)
Carmichael (Clay)	Lawson	Smith (Franklin)
Coleman (Marshall)	Maner	Smith (Lee)
Cooper	Mitchell	Steagall
Crum	Moore	Tunstall
Doyle (Marengo)	McCrary	Turner
Dudley	McMillan	White (Lamar)
Foster	Parker	Wolff

—54.

Nays:

Mr. Long (Butler)

—1.

RECESS.

On motion of Mr. Tunstall, the House recessed until 8:30 p. m.

NIGHT SESSION.

The hour of 8:30 having arrived, the House reconvened.

PRIVILEGES OF THE FLOOR.

Were extended to Messrs. Miller and Pollard, of Abbeville, for the night session.

GOVERNOR'S MESSAGE.

On motion of Mr. Hoffman, the House concurred in and adopted the amendment proposed by the governor to the bill, H. 1249, said governor's amendment being as follows:

To the House of Representatives:

I herewith return H. B. 1249 entitled "An act to regulate the fees of sheriffs for feeding prisoners confined in jail under charge or conviction of any indictable offense, and to provide for the payment thereof."

I suggest the following amendments to said bill, viz.: Strike out section one of said bill and insert in lieu thereof the following:

Section 1. Be it enacted by the Legislature of Alabama, That the sheriffs shall receive for feeding prisoners in jail under charge or conviction of any indictable offense, to be paid by the State, according to the following scale, viz.: When the number of prisoners does not exceed five, for each prisoner forty cents per day; when the number of prisoners exceeds five and does not exceed ten, for each prisoner thirty-seven and one-half cents per day; when the number of prisoners exceeds ten and does not exceed twenty, for each prisoner thirty-five cents per

day; when the number of prisoners exceeds twnty, for each prisoner thirty cents per day.

August 7, 1907.

B. B. Comer,
Governor.

Yeas, 61; nays, 1.

Yeas:

Messrs:—

Speaker	Gunter	Parker
Arnold	Haley	Pearson
Arrington	Henley	Peete
Avery	Hoffman	Pitts (Dallas)
Ballard (Autauga)	John	Pitts (Perry)
Ballard (Pike)	Jones	Power
Baltzell	Kornegay	Ragsdale
Barton	Lacy (Dallas)	Rattray
Benners	Lacy (Walker)	Rice
Bulger	Lancaster	Rowe
Carmichael (Clay)	Lawson	Rushton
Coleman (Marshall)	Lee (Barbour)	Sample
Cooper	Lee (Houston)	Sanders
Cranford	Lindsey	Sanford
Crum	Long (Butler)	Sherrod
Dudley	Lovelady	Smith (Elmore)
Elrod	Mitchell	Steagall
Foster	Moore	Urquhart
Fuller	McCrary	Williams
Glover	Norville	Wolff
Goodwyn		

—61.

Nays:

Mr. Cannon

—1.

BILL ON THIRD READING.

S. 529. To amend sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17 and 18 of, and to add sections 9 1-2, 16 1-2, 17 1-2, 24 and 25, to, an act entitled an act to amend, re-construct, and provide for the enforcement of the laws relating to the public health, approved Oct. 9, 1903.

Was read a third time, at length, and passed.

Yeas, 53; nays, 14.

Yeas:**Messrs:—**

Speaker	King	Ragsdale
Arnold	Kirby	Rainer
Arrington	Kornegay	Rowe
Ballard (Autauga)	Lacy (Walker)	Rushton
Benners	Lawson	Sanders
Bulger	Lee (Barbour)	Sanford
Burney	Lee (Etowah)	Seale
Carmichael (Clay)	Lee (Houston)	Smith (Franklin)
Cooper	Lindsey	Smith (Lee)
Crum	Long (Morgan)	Steagall
Foster	Lovelady	Tunstall
Fuller	Maner	Turner
Goodwyn	McCrary	Urquhart
Gunter	Pitts (Dallas)	Vann
Haley	Pitts (Perry)	Weaver
Henley	Powell (Bullock)	Williams
Hoffman	Power	Wolf
John	Pratt	

—53.

Nays:**Messrs:—**

Barton	Glover	Pearson
Cannon	Jones	Rice
Coleman (Marshall)	Long (Butler)	Sherrod
Cranford	Moore	Smith (Elmore)
Elrod	Parker	

—14.

MESSAGE FROM THE SENATE.**Mr. Speaker:**

The President of the Senate having signed the following Senate bills:

S. 321. To amend section 3700 of the Code of Alabama of 1896, as amended by an act of the Legislature of Alabama, approved February 12th, 1903.

S. 600. To make an appropriation for the erection of monuments commemorating the heroic deeds of Alabama's sons, to be expended by the Alabama Monument Commission, with the approval of the governor.

S. 314. To provide for the taking of the census of the school children in the State of Alabama, and to provide punishment for the making of false enumerations.

S. 637. For the payment of the expenses of the legislature and executive and judicial officers of the State in attending the funeral of the late Senator Pettus.

S. 632. "To provide for the construction, repairing, working, making, maintaining, and protection of the public roads of Geneva county, and to provide for the levying of the tax for the same, and for punishing road defaulters, and prescribing the duties of the commissioners court, with reference to said work, and for the punishment of violators of orders made by the commissioners court."

S. 557. To create the office of official stenographer for Walker county, Alabama; to provide for his appointment, fix his compensation and define his duties, and provide for special stenographers in certain cases.

S. 633. To regulate the taxing of dogs in Madison county, Alabama, and for the protection of sheep, cattle, horses, swine and other live stock in said county; to provide penalties for its violation; to repeal all laws in conflict.

S. 507. To appropriate four thousand (\$4,000.00) dollars out of moneys arising from the sale of fertilizer tags, sale of licenses, or any other funds collected by the department of agriculture and industries and paid into the State treasury, not otherwise appropriated for the use of the department of agriculture and industries for the purpose of holding farmer's institutes, conducting experiments, gathering statistics, and for carrying out all laws now in existence or may hereafter be enacted for the betterment of the agricultural interests of the State.

S. 577. To fix the times and places of holding the circuit courts in the Fifth judicial circuit of Alabama.

S. 546. To amend sections 1, 2, 4, 5, 6, 8, 9, 13, 14 and 15 of an act entitled "An act to regulate the registration, branding, sale, tagging and analysis of commercial fertilizers, acid phosphates, fertilizer materials and chemicals in the State of Alabama," approved March 3, 1903.

S. 131. To submit to the qualified electors of the State at the general election to be held on the first Tuesday after the first Monday in November, 1908, for two asso-

ciate justices of the supreme court, for their consideration an amendment to sections 46 and 48 of article 4 of the constitution so as to provide for biennial sessions of the Legislature.

S. 551. To submit to the qualified electors of the State at the general election to be held on the first Tuesday after the first Monday in November 1908 for their consideration an amendment to section 93 of article IV of the Constitution so as to provide that the State may under appropriate laws cause the net proceeds from the State convict fund to be applied to the construction, repair and maintenance of public roads for the State and the Legislature may also make additional appropriations for that purpose.

S. 61. To establish a colony for epileptics in Alabama, and to provide means for carrying the same into effect.

S. 565. To provide for the establishment of a bureau to collect, compile, and publish cotton statistics and to prescribe the duties and powers of said bureau; to make appropriations for the maintenance thereof; to require ginnermen and others to make reports thereto, and to provide penalties for the violations of the provisions of this act.

S. 384. To provide for the establishment of high schools in this State, and to make appropriations for said schools.

S. 510. To authorize and require the governor to designate and appoint one of the judges of the city court of Birmingham as special judge of the criminal court of Jefferson county.

Your signature is thereto requested.

J. A. Kyle, Secretary.

SIGNING BILLS.

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing message from the Senate.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has concurred in the amendments proposed by the governor to :

H. 1339. To exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively, or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right, on any article designated for the purpose of protecting human life and property, and which has not heretofore been manufactured for sale except such property as is devoted exclusively to the manufacture of such article and to exempt from taxation the stock held by stockholders of such corporation.

Yeas, 28; nays, 0.

Which was a majority of the whole number elected to the Senate.

And has also concurred in and adopted the governor's amendment to :

H. 558. To regulate the employment of child labor in certain mills, factories and manufacturing establishments in this State, and to provide for the inspection of the rooms, places and premises wherein they are worked and to adequately punish violations of this act.

Yeas, 27; nays, 2..

Which was a majority of the whole number elected to the Senate.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker :

The Senate has passed the following House bills :

H. 949. To create a text book commission and to procure for use in the public schools of this State a uniform series of text books; to define the duties and powers of said commission, to make an appropriation for the carrying into effect this act, and to provide punishment and penalties for the violation of same.

H. 1391. To prescribe the rules of evidence upon applications of confederate soldiers or sailors, resident citizens of Alabama, and their widows for pensions under the pension laws of Alabama as to providing the fact of service in the confederate army, or in the State troops of Alabama and that they did not desert, and to provide for a special session of the State and county boards of examiners during the year 1907 for the examination of applicants, and to repeal all laws and parts of laws in conflict with this act.

H. 1123. To exempt from taxation all the property, both real and personal, belonging to The Eastern Star.

H. 1127. To amend section 17 of an act entitled an act to provide a system of quarantine for this State, approved February 23, 1899.

H. 593. To confirm and ratify the lease of the northeast quarter of section sixteen of township five south of range two, east, by the board of education of Baldwin county, Alabama.

H. 576. To provide for the incorporation of mutual aid, benefit and industrial companies or associations.

H. 628. To amend sections one (1) and four (4) of an act entitled an act to amend sections 1116 (1547), 1117 (1548), 1118 (1549), 1119 (1550), and 1120 (1551) of the Code of Alabama of 1896, approved February 28th, 1903.

H. 903. To ratify, legalize and confirm all sales and conveyances heretofore made by electric light and power companies, water companies and street railway companies of all of their property and franchises to any corporation authorized by its charter, certificate of incorporation, or declaration of incorporation, to acquire, own or operate such properties and franchises, where said sales and conveyances have been made pursuant to and with the consent of all stockholders of such selling corporation or corporations; and requiring the purchasing corporation to fulfill all of the obligations, contracts and duties of the said selling corporation or corporations.

H. 937. To amend section 5 of an act entitled an act "To establish a home for indigent confederate veterans

residing in the State of Alabama who are unable to make a livelihood on account of physical disability or old age, and to make appropriations for improving and maintaining the same," approved Oct. 6th, 1903.

H. 1370. To provide a commission to investigate the charges made against the management of the Insane Hospital; to prescribe its powers and duties, and to pay the per diem, mileage and expenses thereof.

H. 1198. To amend sections 17 and 18 of an act to authorize cities, towns and other municipal corporations to make certain improvements on sidewalks, streets, avenues, alleys, highways or other public places of such city, town or other municipal corporation, to construct sewers, to assess the costs of such improvements or any part thereof upon the property abutting such street, avenue, alley, highway or other public place or drained by such sewers, or against the right-of-way of any railroad so improved or drained by such sewers; to make such assessments and lien on such property and to regulate appeals from such assessments; to provide methods for the enforcement of such lien and the payment of such assessments and penalties; and to authorize the issue of bonds to pay for such improvements, approved March 5th, 1907.

H. 1323. To appropriate fifteen hundred dollars for the purpose of furnishing and equipping the office of mine inspectors of this State with necessary and suitable furniture, apparatus, machines and all other necessary instruments.

H. 1324. To amend section 2904 of the Code of Alabama as now amended.

H. 1359. To provide for refurnishing and in keeping in repair the State capitol and the several offices therein, and to provide for the improvement and keeping in order the State capitol grounds.

H. 1343. To authorize the railroad commission of Alabama to modify or change any rule or regulation prescribed by statute relating to demurrage or car service and charges therefor and the respective rights, duties and obligations of common carriers by rail and shippers and consignees with respect to furnishing empty

cars and the transportation and delivery of freight and delay in the loading and unloading of cars and receiving of freight and charges therefor.

H. 1342. To amend sections 14 and 16 of an act entitled "An act to prescribe rules and regulations relating to demurrage and car service and the charges therefor and the respective rights, duties, obligations, liabilities, and remedies of common carriers by rail and shippers and consignees with respect to the furnishing of empty cars and the transportation and delivery of freight and delay of shippers and consignees in the loading and unloading of cars and the receiving of freight and charges for such delay," approved February 28, 1907.

H. 1397. To amend "An act to make appropriations for the ordinary expenses for the executive, legislative and judicial departments of the State, for the interest on the public debt and for public schools."

H. 928. To prohibit the sale of hop-jack, hop-tea, hop-weiss, hop-ale, malt tonic, or other beverages, the product of maltose of glucose at any place where the sale of spirituous, vinous or malt liquors are prohibited by law.

H. 1224. To fix the time for the holding of the examinations for teachers in the public schools of the State of Alabama.

H. 856. To fix the compensation of the assistant clerk in the office of the commissioner of agriculture and industries and to make appropriations therefor.

H. 1378. To allow cities and towns to issue bonds to pay outstanding indebtedness not evidenced by bonds.

H. 1278. To amend section 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the several counties of the State of Alabama, approved October 10, 1903.

H. 1270. To require the tax assessor of Montgomery county to make annually, a lot book showing in abstract form, all legal subdivisions which have been or which may be hereafter made of all property in Montgomery county, and the name of the person, firm or corporation to whom each lot or subdivision is assessed for the current year; and to provide compensation therefor.

H. 977. To authorize the board of revenue and road commissioners of Mobile county to issue bonds for the purpose of improving the harbor and river front at Mobile, Alabama.

H. 280. To furnish blanks to justices of the peace, notaries public and ex-officio justices of the peace, and constables, necessary for their business in their courts and to make provisions for the payment thereof.

H. 1220. To amend section two (2) and three (3) of an act entitled, "An act to amend sections 897 and 911 of chapter 19, article 1, of the Code of Alabama, approved March 6, 1907.

H. 1296. To authorize and empower the court of county commissioners of Butler county to employ a janitor for Butler county who shall be under the control and direction of the sheriff of Butler county, to prescribe his duties and to provide for the payment of such janitor.

H. 1092. For the relief of J. W. Angle.

H. 1288. To authorize the court of county commissioners, board of revenue or other courts of like jurisdiction of Walker county, to contract for supplying the court rooms and the offices of the county officers with water, gas, electric lights, heat, telephones and such other conveniences as such court may deem necessary or advisable, and to keep the said rooms and offices in good condition and order, and to provide for the payment of same.

H. 1358. To better provide for the payment of witnesses in criminal cases who are summoned and appear for the State in the several courts of Walker county.

H. 1327. To amend Sec. 1, 2, 3, of an act entitled an act to provide a new charter for the town of Cordova, Walker county, Alabama, approved December 13th, 1900.

And herewith returns same to the House.

J. A. Kyle, Secretary.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills have examined the following House bills and beg leave to report the same correctly enrolled:

H. 133. An act to amend an act entitled an act to establish an inferior court in precincts 21 and 37 in Jefferson county, Alabama, in lieu of all justices of the peace in said precincts and to refine the jurisdiction and powers of said court and the judges thereof, approved Sept. 26th, 1903.

H. 1094. To amend sections 1 and 4 of an act to appropriate annually \$67,000.00 or so much thereof as is necessary, to aid rural school districts in the State to erect or repair public school houses, approved March 2, 1907.

H. 192. To amend section 5001 of the criminal code, and to provide for the organization of a grand jury at adjourned term of the circuit or city courts.

H. 1349. Authorizing the recovery and requiring the refund of any money erroneously paid or collected for taxes, whether paid under compulsion or protest or not.

H. 1206. To make an enumeration, or census, of the confederate soldiers residing in the State of Alabama, and to provide for the payment thereof.

H. 1305. To fix the salary of the county treasurer of Walker county, Alabama.

H. 1344. To authorize the county board of education of Chambers county to establish a high school anywhere in the county.

H. 1044. To alter or change the boundary line between the counties of Etowah and Calhoun, in the State of Alabama, and as altered to establish the same.

H. 1386. To amend section two (2) of an act entitled "an act to regulate the practice in the circuit court of Calhoun county," approved 12th day of March, 1907.

H. 552. To require the sheriffs of the various counties of the State of Alabama, to procure from the office of the United States Internal Revenue collector, a list of all persons, firms or corporations in their respective counties, to whom licenses have been issued for the sale of spirituous, vinous or malt liquors, and to publish the same in some newspaper published in said counties.

H. 1300. To amend section 393 of the code of 1896.

H. 1242. To establish an inferior court in precinct 45, in Jefferson county, Alabama, in lieu of all justices

of the peace and notaries public, with powers of justices of the peace, in said precinct, and to define the jurisdiction and powers of said court and of the judges thereof.

H. 427. To appropriate four thousand dollars to the Plantersville High School at Plantersville, Dallas county, Alabama, and to provide that the Governor of Alabama be ex-officio president of the board of trustees, and that the superintendent of education of Alabama be ex-officio a member of the board of trustees and to provide for the appointment by the governor of five other trustees.

H. 916. To establish a high school for Dale county, to be located at Ozark, Alabama.

H. 1337. To require the sheriff of Lawrence county to procure from the office of the United States Internal Revenue Collector for the State of Alabama, a list of persons, firms or corporations in Lawrence county, to whom licenses have been issued for the sale of spirituous, vinous, or malt liquors, and to publish the same in some newspaper, published in said county.

H. 1201. To regulate and prescribe the manner of electing county commissioners in the county of Walker, fix their compensation and provide for holding regular special and adjourned terms of the court of county commissioners.

H. 810. To establish a board of revenue for Houston county.

H. 218. To prohibit the display of nude pictures of a man, woman, or girl in any public place, except art galleries.

H. 1271. To amend an act entitled "an act to establish the Morgan county law and equity court; to create and define its jurisdiction; to provide its officers, their powers, duties and compensation; to fix the terms of said court; and to prescribe rules and procedure for said court," approved Feb. 25, 1907; by adding section 37, providing that the judge of the said Morgan county law and equity court be authorized and empowered to direct the sheriff of Morgan county to appoint a sufficient number of deputies to serve the process of this court and perform other necessary and proper duties and to pro-

vide for the compensation of the sheriff, deputies and janitor for said court; and by adding section 38, providing for the trial of all causes removed to the Morgan county law and equity court from any other court in Morgan county, and by adding section 39, providing that a session of said court may be held at any time, for such purpose as the judge of the court may determine, and for which petit and grand jurors may be summoned and empaneled and by adding section 40, providing for rendering final judgment upon forfeited bonds; and by adding section 41, providing for the investigation of charges against any defendant in the county court of Morgan county, Ala., by the grand jury of the Morgan county law and equity court.

H. 1165. To amend an act entitled "An act to establish a separate school district to be known as the Elba school district in Coffee county, Alabama, and to provide for the management of the public schools in said district," approved February 28th, 1901, as amended by an act approved September 28th, 1903.

H. 590. To amend an act entitled an act to amend section 4730 of the criminal code of 1896, approved October 1st, 1903.

H. 936. To propose an amendment to the constitution of the State of Alabama, for the purpose of providing for the formation and establishing of new counties out of portions of one, two or more counties as may be desired.

J. S. Williams, Chairman.

SIGNING BILLS.

The Speaker of the House in the presence of the House immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing report from the standing committee on Enrolled Bills. •

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills having examined the following House bills beg leave to report the same correctly enrolled:

H. 1287. To legalize the registration of and to make self proving deeds of conveyance which have been recorded in the office of the judge of probate of the proper county before the passage of this act but not within the time heretofore required by law and all such conveyances as shall be recorded within two years after the approval of this act.

H. 1133. To authorize cities of the State of Alabama having, according to the next preceding federal census, a population of more than thirty five thousand, to compel the construction and maintenance of bridges, viaducts and tunnels and their approaches, over, under or across railroad tracks within the city limits; and to provide for defraying the expense of the same.

H. 576. To provide for the incorporation of mutual aid, benefit and industrial companies or associations.

H. 1339. To exempt from taxation all property of any person, firm or corporation who has heretofore patented and owns exclusively, or has heretofore secured and owns exclusively, or who shall hereafter patent and own exclusively, or shall hereafter secure and own exclusively the patent right, on any article designed for the purpose of protecting human life and property, and which has not heretofore been manufactured for sale, which is devoted exclusively to the manufacture of such article, and the manufactured products and patent rights, and to exempt from taxation the stock held by stockholders of such corporation.

H. 977. To authorize the board of revenue and road commissioners of Mobile county to issue bonds for the purpose of improving the harbor and river front at Mobile, Alabama.

H. 1092. For the relief of J. W. Angle.

H. 1288. To authorize the court of county commissioners, board of revenue or other courts of like juris-

diction of Walker county to contract for supplying the court rooms and the offices of the county officers with water, gas, electric lights, heat, telephones and such other conveniences as such court may deem necessary or advisable, and to keep the said rooms and offices in good condition and order and to provide for the payment of same.

H. 929. To alter and re-arrange the boundary lines of the city of Birmingham, Alabama.

H. 1358. To better provide for the payment of witnesses in criminal cases who are summoned and appear for the State in the several courts of Walker county.

H. 1296. To authorize and empower the court of county commissioners of Butler county to employ a janitor for Butler county, who shall be under the control and direction of the sheriff of Butler county, to prescribe his duties, and to provide for the payment of such janitor.

H. 280. To furnish blanks to justices of the peace, notaries public and ex-officio justices of the peace, and constables, necessary for their business in their courts and to make provisions for the payment thereof.

H. J. R. 361. Relative to securing a federal law prohibiting interstate shipments of intoxicating liquors or beverages into prohibition districts of the various states.

H. 1270. To require the tax assessor of Montgomery county to make annually, a lot book showing in abstract form, all legal subdivisions which have been or which may be hereafter made of all property in Montgomery county, and the name of the person firm, or corporation to whom each lot or subdivision is assessed for the current year; and to provide compensation therefor.

H. J. R. 362. Relating to the enforcement of section 3239 of the revised statutes of the United States.

H. 1220. To amend sections two (2) and three (3) of an act entitled "an act to amend sections 897 and 911 of chapter 19, article 1, of the code of Alabama, approved March 6, 1907.

H. 984. To fix the salary of the judge and the associate judge of the city court of Montgomery.

H. 1343. To authorize the railroad commission of Alabama to modify or change any rule or regulation

prescribed by statute relating to demurrage or car service and charges therefor and the respective rights, duties and obligations of common carriers by rail and shippers and consignees with respect to furnishing empty cars and the transportation and delivery of freight and delay in the loading and unloading of cars and receiving of freight and charges therefor.

H. 628. To amend sections one (1) and four (4) of an act entitled an act to amend sections 1116 (1547), 1117 (1548), 1118 (1549), 1119 (1550) and 1120 (1551) of the Code of Alabama of 1896, approved February 28th, 1903.

H. 1370. To provide a commission to investigate the charges made against the management of the Insane Hospitals, to prescribe its powers and duties, and to pay the per diem, mileage and expenses thereof.

H. 856. To fix the compensation of the assistant clerk in the office of the commissioner of agriculture and industries and make appropriation thereof.

H. 949. To create a text book commission and to procure for use in the public schools of this State a uniform series of text-books; to define the duties and powers of said commission and to make an appropriation for the carrying into effect this act, and to provide punishment and penalties for the violation of the same.

J. S. Williams, Chairman.

SIGNING BILLS.

The Speaker of the House in the presence of the House immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the bills, and the House Joint Resolutions, the titles to which are set out in the above and foregoing report from the Standing Committee on Enrolled Bills.

REPORT OF COMMITTEE.

Mr. Speaker:

The joint committee raised to consider the new Code, was by resolution of the Legislature, directed to consider the legal status of the lands usually called "Swamp and

overflowed lands" which were granted by the Act of the Alabama Legislature, approved October 10, 1903, to the trustees of the Alabama Insane Hospitals, and to consider and ascertain what lands were sold prior to the passage of the act approved February 12, 1879, and the sales of which were confirmed by the said act. And also whether there were two acts approved on the same day, to-wit, February 12, 1879, and if so, which of these is referred to in the act approved October 10, 1903, and whether there is any conflict in the provisions of the two acts, or any part of either act, or any part of either act violates the provisions of the constitution of Alabama. And were also instructed to consider and report what legislation, if any, is needed to protect the rights of the State and of the Alabama Insane Hospitals in and to the swamp and overflowed lands remaining, and that will facilitate the equitable adjustment of the claims outstanding to any of these lands which are claimed as sold by the State before the act of October 10, 1903. And whether the officers or agents of the Alabama Insane Hospitals have interfered with or disturbed the title and possession of the purchaser to any of such swamp or overflowed lands to which they had a fairly just and equitable claim. The land committee of the trustees of the Alabama Insane Hospitals have had prepared and laid before the joint committee a brief outline of history of the legislation and dealings with these lands from the time they were granted by Congress to the State up to the present time, and have distributed to the members of the Legislature copies of this history. The joint committee had not the time to investigate or to consider in detail all of the statements made therein, but it is apparent even from a casual reading of this history that there were many and very gross frauds perpetrated upon the State, by which hundreds of thousands of acres of land were practically stolen from the State. These frauds and fraudulent practices were fully laid bare under the administration of Governor Houston, and thereupon the Legislature felt called upon to legislate for the preservation of these lands to the State, and there was introduced and passed an "act

to further regulate the securing and preservation and sales of the swamp and overflowed lands of the State," approved February 12, 1879, as shown on pages 198-99 of the Acts of 1878-79. It will appear that Secs. 1 and 2 of this act are strictly within the title thereof, and were all that was necessary in order to fully protect the interest of the State in the lands, and to recover those unlawfully sold and the purchase money thereof. Section 3, however, of that act, is not within the title, in that, its whole object and purpose was to confirm previous sales of which there is no hint in the title, and further this section undertakes to confirm the title to lands which were sold by "any person or persons acting as agent or receiver, or professing to act as agent or receiver of this State, for swamp and overflowed lands, and the purchase money of which has been paid." Thus undoing all that was proposed or attempted to be done under the first and second sections of this act, and in the light of the report which Governor Houston transmitted to the Legislature, it is very clear that this section 3 was introduced into the act after its introduction and is unconstitutional and void. On the same day, to-wit, February 12, 1879, there was approved an act for the relief of the Perdido Bay Lumber Company, shown on page 303 of the Acts of 1878-79, and the sole purpose of this act was to *confirm* the titles to certain lands which the Perdido Bay Lumber Company held under patents issued by Governor Lindsay, so that this later act was the only valid act of that date, to-wit, February 12, 1879, which did *confirm* the titles to any swamp or overflowed lands in or to any person.

This was the legal status of these lands when the Legislature passed the act, approved October 10, 1903, granting to the trustees of the Insane Hospitals of the State of Alabama all Swamp and overflowed lands which were granted to the State by act of Sept. 28, 1850, and to provide for the sale of said lands by such trustees, &c.

The only question as to the extent and scope of this grant, to the trustees of the Insane Hospitals, is raised

by the wording of section 4 which is the last section of the act, which is a declaration "Nothing in this act shall be so construed as to authorize the said trustees to interfere with or disturb the title and possession of the purchaser or present owner of any such swamp and overflowed lands which were sold prior to the passage of the act approved February 12, 1879, and the sale of which were confirmed by the said act" The trustees of the Hospitals insist, and we think rightfully, that this referred to the act approved February 12, 1879, shown on page 303, because that was the only valid act of that date on that subject, or that did legally confirm the title of any swamp or overflowed lands to any person.

As this question has never been adjudicated in the court, we think it would be well for the Legislature to leave it where it is, and not to undertake to settle it by any further legislation on that subject, and especially not to confirm titles which have been shown to be absolutely void.

It was shown to the joint committee that since the act of October 10, 1903, the trustees of the Insane Hospitals have not interfered with or disturbed the title and possession of any person who had even an equitable title to any of these lands.

The trustees of the Insane Hospitals have brought but one suit for the recovery of a piece of land in Barbour county which was in the possession of a person who had not a shadow of title thereto, and who did not claim that it had ever been sold by the State, or that the State had ever received any money therefor or issued a patent thereto and recovered this land.

This is the extent of the interference by the trustees with any on in possession of the lands, except that they have claimed to be the owner of all the lands that had not heretofore been lawfully sold and paid for, and for which legal patents had been duly issued. They have adjusted and settled a large number of claims with persons who claimed to own swamp and overflowed lands which they had bought from vendors who were claiming title thereto but whose title was either void or doubtful, and in every instance they have accepted from

these claimants the sum of money agreed upon and finally paid in order to obtain a release or conveyance of the title of the hospitals to the land in dispute.

From the confusion of the records kept in the past, and especially during Governor Lindsay's administration, and from the want of the record of the issuance of a large number of patents, it is impossible for any person to ascertain how many of the S. & O. lands remain the property of the Alabama Insane Hospitals, and therefore the committee does not attempt to make even an approximate estimate, but are satisfied that many thousands of acres of great value may be saved to the Hospitals, which means for the benefit of the whole State, by judicious legislation and prompt action. To this end the committee has had prepared, and herewith reports, a bill to provide for the care of these lands and regulating their sale and conveyance and to prevent them from being listed and sold for taxes.

If this bill be passed, the Legislature will then have done all that it can reasonably do to preserve for the State this very valuable estate.

Sam Will John,
Chairman.

Mr. Rice moved that the report of the committee be expunged from the Journal and the motion was lost.

Yeas, 28; nays, 31.

Yeas:

Messrs:—

Arrington	Lacy (Dallas)	Pitts (Dallas)
Barton	Lee (Barbour)	Powell (Bullock)
Benners	Lee (Etowah)	Rainer
Cannon	Lee (Houston)	Rice
Carmichael (Clay)	Malone	Sanders
Coleman (Marshall)	McCrary	Tunstall
Goodwyn	McDuffie	Urquhart
Hoffman	Norville	Weaver
Jenkins	Parker	Williams
Kornegay		

Nays:

Messrs.

Speaker	King	Rattray
Arnold	Long (Butler)	Rowe
Ballard (Autauga)	Long (Morgan)	Hushton
Burney	Maner	Sherrod
Cooper	Mitchell	Smith (Elmore)
Dudley	Moore	Smith (Franklin)
Fuller	Peete	Smith (Lee)
Gunter	Pitts (Perry)	Steagall
Haley	Power	Turner
John	Ragsdale	Vann
Jones		

—31.

And the report was ordered spread upon the Journal.

PROTEST FILED.

Mr. Hoffman filed the following protest:

Mr. Speaker:

I protest against the spreading upon the Journal of the foregoing because while it submits a legal argument does not state the facts and does not refer to the lands included in the act of Oct. 10th, 1903.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by the governor to,

H. 1249. To regulate the fees of the sheriffs for feeding prisoners confined in jail under charge or conviction of any indictable offense and to provide for the payment thereof.

Yeas, 22; nays, 2.

Which was a majority of the whole number elected to the Senate.

J. A. Kyle, Secretary.

GOVERNOR'S MESSAGE.

On motion of Mr. John the House concurred in and adopted the amendment proposed by the governor to the bill H. 1370, said governor's amendment being as follows:

To the House of Representatives:

I herewith return H. B. 1370 entitled an act to provide a commission to investigate the charges made against the management of the Insane Hospitals; to prescribe its powers and duties and to pay the per diem, mileage and expenses thereof.

I suggest the following amendment to said bill:

Amend section 4 by adding to the end thereof the following words: "And not exceeding two dollars and a half per day for actual expenses."

B. B. Comer, Governor.

Yeas, 54; nays, 2.

Yeas:

Messrs:—

Speaker	Henley	Norville
Arrington	Hoffman	Pitts (Dallas)
Avery	Jenkins	Pitts (Perry)
Ballard (Autauga)	John	Powell (Bullock)
Ballard (Pike)	Killen	Power
Baltzell	King	Ragsdale
Barton	Kirby	Rainer
Benners	Kornegay	Rowe
Brown	Lacy (Dallas)	Sample
Bulger	Lacy (Walker)	Sanders
Carmichael (Clay)	Lancaster	Smith (Elmore)
Coleman (Marshall)	Lindsey	Smith (Franklin)
Cranford	Long (Butler)	Smith (Lee)
Dudley	Maner	Steagall
Elrod	Mitchell	Tunstall
Goodwyn	Moore	Urquhart
Gunter	McCrory	Vann
Haley	McDuffie	Williams

Nays:

Messrs

Cannon

Cooper

—2.

BILL ON THIRD READING.

S. 574. To create a commission whose duty it shall be to erect a statute of the late Mr. Jefferson Davis in front of the capitol in the city of Montgomery, Alabama, and to appropriate the sum of ten thousand dollars for the purpose of erecting such statute.

Was taken up.

Mr. Carmichael, of Colbert, offered the following amendment to the bill:

Amendment to section 1 of Senate bill No. 574:

Amend by striking out in the third and fourth line of section one the words "Hon. W. C. Jones, of Wilcox county, and Hon. Archie Carmichael" and inserting in lieu thereof the words "and two others to be appointed by the governor.

Also amend section 4 by adding thereto the following:

Provided that the appropriation herein made shall not be available until the governor shall certify to the commission that the condition of the State treasury will warrant the said expenditure.

And the amendment was adopted.

Yeas, 59; nays, 6.

Yeas:

Messrs:—

Speaker	Doyle (Marengo)	Jones
Arnold	Dudley	King
Arrington	Foster	Kornegay
Baltzell	Fuller	Lacy (Dallas)
Benners	Glover	Lacy (Walker)
Bulger	Goodwyn	Lancaster
Burney	Gunter	Lee (Etowah)
Carmichael (Clay)	Haley	Lee (Houston)
Coleman (Marshall)	Henley	Lindsey
Cooper	Hoffman	Long (Morgan)
Cranford	Jenkins	Lovelady
Crum	John	Maner

Mastin	Pitts (Dallas)	Rowe
Middleton	Pitts (Perry)	Sanders
Mitchell	Pcwell (Bullock)	Sanford
Moore	Pratt	Sherrod
McDuffie	Pugh	Smith (Franklin)
McMillan	Ragsdale	Smith (Lee)
Norville	Rainer	Steagall
Parker	Rice	

—59.

Nays:

Messrs

Ballard (Pike)	Cannon	Rushton
Barton	McCrory	Weaver

—6.

And the Bill:

S. 574. To create a commission whose duty it shall be to erect a statute of the late Mr. Jefferson Davis in front of the Capitol in the city of Montgomery, Alabama, and to appropriate the sum of ten thousand dollars for the purpose of erecting such statute.

As amended:

Was read a third time at length and passed.

Yeas, 57; nays, 11.

Yeas:

Messrs:—

Speaker	Goodwyn	Lindsey
Arnold	Gunter	Lovelady
Arrington	Haley	Malone
Avery	Henley	Maner
Ballard (Autauga)	Hoffman	Mastin
Baltzell	Jenkins	Mitchell
Benners	John	Moore
Bulger	Jones	McCrory
Burney	King	McDuffie
Carmichael (Clay)	Kirby	McMillan
Coleman (Marshall)	Lacy (Dallas)	Norville
Cooper	Lacy (Walker)	Parker
Crum	Lancaster	Pitts (Dallas)
Dudley	Lawson	Pitts (Perry)
Foster	Lee (Etowah)	Powell (Bullock)
Glover	Lee (Houston)	Pratt

Pugh	Rice	Smith (Franklin)
Ragsdale	Sanders	Tunstall
Rainer	Sanford	Vann

—57.

Nays:

Messrs		
Barton	Fuller	Sample
Cannon	Kernegay	Sherrod
Cranford	Power	Smith (Lee)
Elrod	Rushton	

—11.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in and adopted the amendments proposed by the governor to

H. 1370. To provide a commission to investigate the charges made against the management of the Insane Hospitals, to prescribe its powers and duties, and to pay the per diem, mileage and expenses thereof.

Yeas, 21; nays, 0.

Which was a majority of the whole number elected to the Senate.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has passed the following House bill:

H. 1000. To repeal an act entitled, "an act to regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama, approved February 15th, 1897.

And herewith returns the same to the House.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House amendments to,

S. 552. To fix time and places of holding the chancery court in the north eastern chancery division of Alabama.

And,

The Senate has concurred in and adopted the amendments proposed by the governor to

H. 1249. To regulate the fees for sheriffs for feeding prisoners confined in jail, under charge or conviction of any indictable offense and to provide the payment thereof.

Yeas, 22; nays, 2.

The same being a majority of the whole number elected to the Senate.

J. A. Kyle, Secretary.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Mr. Speaker:

Your committee on Enrolled Bills having examined the following House bills beg leave to report the same correctly enrolled:

H. 1123. To exempt from taxation all the property, both real and personal, belonging to the Eastern Star.

H. 1127. To amend section 17 of an act entitled an act to provide a system of quarantine for this State, approved February 23, 1899.

H. 593. To confirm and ratify the lease of the north-east quarter of section 16, of township five south of range two east, by the board of education of Baldwin county, Alabama.

H. 1378. To allow cities and towns to issue bonds to pay outstanding indebtedness not evidenced by bonds.

H. 903. To ratify, legalize and confirm all sales and conveyances heretofore made by electric light and power companies, water companies and street railway companies, of all of their property and franchises, to any corporation authorized by its charter, certificate of incorporation or declaration of incorporation, to acquire, own or operate such properties and franchises, where said sales and conveyances have been made pursuant to and with the consent of all stockholders of such sell-

ing corporation or corporations; and requiring the purchasing corporation to fulfill all of the obligations, contracts and duties of the said selling corporation or corporations.

H. 928. To prohibit the sale of hop-jack, hop-tea, hop-weiss, hop-ale, malt tonic, or other beverages, the product of maltose or gencose, at any place where the sale of spirituous, vinous or malt liquors are prohibited by law.

H. 1224. To fix the time for the holding of the examinations for teachers in the public schools of the State of Alabama.

H. 1324. To amend section 2904 of the code of Alabama as now amended.

H. 1342. To amend sections 14 and 16 of an act entitled "an act to prescribe rules and regulations relating to demurrage and car service and the charges therefor and the respective rights, duties, obligations, liabilities and remedies of common carriers by rail and shippers and consignees with respect to the furnishing of empty cars and the transportation and delivery of freight and delay of shippers and consignees in the loading and unloading of cars and the receiving of freight and charges for such delay" approved February 28, 1907.

H. 1198. To amend sections 17 and 18 of an act to authorize cities, towns and other municipal corporations to make certain improvements on the sidewalks, streets, avenues, alleys, highways or other public places of such city, town, or other municipal corporation; to construct sewers to assess the cost of such improvements or any part thereof, upon the property abutting such street, avenue, alley, highway, or other public place, or drained by such sewers, or against the right of way of any railroad so improved or drained by such sewers; to make such assessments a lien on such property and to regulate appeals from such assessments; to provide methods for the enforcement of such lien, and the payment of such assessment and penalties; and to authorize the issue of bonds to pay for such improvement.

H. 1278. To amend section 8 of an act entitled an act to provide for the construction and maintenance of good public roads and bridges in the several counties of the State of Alabama, approved October 10, 1903.

H. 1327. To amend section 1, 2, 3, of an act entitled an act to provide a new charted for the town of Cordova Walker county, Alabama, approved Dec. 13, 1900.

H. 558. To regulate the employment of child labor in certain mills, factories and manufacturing establishments in this State, and to provide for the inspection of the rooms, places and premises wherein they are worked and to adequately punish violations of this act.

H. 1249. To regulate the fees of sheriffs for feeding prisoners confined in jail under charge or conviction of any indictable offense, and to provide the payment therefor.

H. 1370. To provide a commission to investigate the charges made against the management of the Insane Hospitals; to prescribe its powers and duties and to pay the per diem, mileage and expenses thereof.

H. 1000. To repeal an act entitled an act to regulate the payment of claims against the fine and forfeiture fund of Morgan county, Alabama, approved February 15th, 1897.

J. S. Williams, Chairman.

SIGNING BILLS.

The Speaker of the House in the presence of the House, immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two thirds vote of a quorum present, signed the bills the titles to which are set out in the above and foregoing report of the committee on Enrolled Bills.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The Senate has concurred in the House amendment to, S. 574. To create a commission whose duty it shall be to erect a statute of the late Mr. Jefferson Davis in front

of the capitol, in the city of Montgomery, Alabama, and to appropriate the sum of ten thousand dollars for the purpose of erecting such statute.

J. A. Kyle, Secretary.

MESSAGE FROM THE SENATE.

Mr. Speaker:

The President of the Senate having signed the following Senate Bills:

S. 552. To fix the times and places of holding the chancery court in the Northeastern Chancery Division of Alabama.

S. 509. To provide for the organization, incorporation, government and regulation of cities and towns and to define the rights, powers, duties, jurisdiction and authority of such cities and towns and of the officers thereof, and to prescribe penalties for violations of the provisions of this act.

S. 529. To amend sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 16, 17 and 18 of and to add sections 9 1-2, 16 1-2, 17 1-2 24 and 25 to an act entitled an act to amend re-construct and provide for the enforcement of the laws relating to the public health, approved October 9, 1903.

S. 574. An act to create a commission whose duty it shall be to erect a statue of the late Mr. Jefferson Davis in front of the capitol in the city of Montgomery, Alabama, and to appropriate the sum of ten thousand dollars for the purpose of erecting such statue.

Your signature thereto is requested.

J. A. Kyle, Secretary.

SIGNING BILLS.

The speaker of the House in the presence of the House immediately after the titles had been publicly read by the clerk, the reading at length having been dispensed with by a two thirds vote of a quorum present, signed the bills, the titles to which are set out in the above and foregoing message from the Senate.

COMMITTEE TO WAIT ON GOVERNOR.

On motion of Mr. Williams, a committee of the House was appointed to wait upon the governor, and ascertain if he had any further business with the House.

The Speaker named on said committee Messrs. Williams, Pitts of Dallas, and Haley.

REPORT OF COMMITTEE.

The committee appointed to wait upon the governor, reported that they had visited the governor and the following communication from the governor was ordered spread upon the Journal.

Chief Executive Department,
Alabama.

To the House of Representatives:

Since the first meeting of the present legislature. I have received uniform and continuous courtesy and consideration. For this I thank you all.

A good work has been accomplished for the people of Alabama; the rich and the poor have been treated with equal favor; and all the people of the State should appreciate your unselfish labors. You have stood for equal rights to all men, special privileges to none. You have made special interests conform to the principles of common right and have provided that all men shall obey the law. The democratic platform has been enacted into statute; it is now and henceforth *must* be the will of the people.

Shall Alabama continue as a sovereign State? Shall its laws be respected and obeyed? For the enforcement of the law, civil and criminal, I am solemnly pledged to the people. I will faithfully and honestly execute the same.

When you go to your homes, remember that the struggle for equal rights has just begun; the laws you have enacted must yet be recognized by all and enforced without fear or favor. "The battle is not to the strong alone, but to the vigilant, the active, the brave."

With thanks again, and best wishes for your safe return to your homes and for your future welfare, I am,
sincerely yours,

B. B. Comer, Governor.

JOURNAL.

The chairman of the standing committee on the revision of the Journal made the following report:

Mr. Speaker:

Your committee on the revision of the Journal beg leave to report as follows:

We have examined the Journal for the fiftieth day and find the same to be correct.

H. B. Steagall, Chairman.

The report of the committee was concurred in, and the Journal for the 50th day was approved.

ADJOURNMENT SINE DIE.

On motion of Mr. Hoffman the House adjourned sine die.

A. H. Carmichael,
Speaker of the House of Representatives.

Cyrus B. Brown,
Clerk of the House of Representatives.

ERRATA.

Page 203, H. 121 should be H. 122.

Page 218, tenth line from top, *Northwestern* should be *northeastern*.

Page 222, H. 138 should be H. 139.

Page 467, H. 383, to incorporate the Olivet Club, *is omitted*.

Page 554, notice and proof H. 248 should be H. 428.

Page 594, by Mr. Ballard of *Etowah*, should be by Mr. Ballard of *Autauga*.

Page 813, H. 53 should be H. 563.

Page 816, notice and proof H. 559, should be H. 569.

Page 877, H. 122 should be H. 121.

Page 917, H. 409 should be H. 499.

Page 935, *by Mr. Arlington*, should be *by Mr. Arrington*.

Pages 1113 and 1114, should be transposed.

Pages 1219, H. 687 *to appeal* should be *to repeal*.

Pages 1287, H. 152 should be H. 512.

Pages 1288, H. 333 should be H. 584.

Pages 1310, *introduction of bills* is omitted.

Pages 1403, H. 389, an act to amend *section* 2300. should be *section* 2030.

Pages 1429, H. 729, to amend sec. 3045 should be sec. 3054.

Pages 1645, H. 347 should be H. 374.

Pages 2186, S. J. R. 53 should be S. 128.

Pages 2487, in second line, *Walter Carter Company* should be *Walter Cotter Company*.

Pages 2497, in second line, *H. B. to ahend section* 4797, should be *H. B. 998, To amend, etc.*

Pages 2497, *H. 999, to appeal, etc., should be H. 999, to repeal, etc.*

Pages 2770, H. 937, should be H. 973.

Pages 2777, in first line *efficient* should be *official*.

Page 2790, H. 957, to amend *section* 4903, should be *section* 4803.

Page 2883, *Mr. Martin* should be *Mr. Mastin*.

Page 3066, H. 1247, should be H. 1274.

Page 3071, in second to last line, *section* 2801 should be *section* 2807.

Page 3377, in sixth from last line, *bills on third reading* should be *bills on second reading*.

Page 3617, Word "enrolled" should be "engrossed."

INDEX.

ACTION AT LAW—

To regulate amount to be recovered for killing live stock, H. 64, p. 80.

ADVERSE REPORTS BY COMMITTEE—

To take bills from adverse calendar, p. 134, p. 539; 571, p. 572, 746, 2368, 2796, 2999, 3460, 3544, 3665, 3736, 3743, 3797, 4078, 4119, 4164.

AGRICULTURAL SCHOOLS AND EXPERIMENT STATIONS—

(See *Schools and Colleges*.)

ALABAMA GIRLS INDUSTRIAL SCHOOL—

Amend act, to grant new charter for, H. 469, p. 637, 1310, 2613, 2793, 4016, 4105.

To provide for maintenance of, H. 467, p. 637, 1152, 1604, 1819, 1849.

To provide for payment of interest on proceeds of lands sold by, H. 468, p. 637, 1147, 1257, 1819, 1959.

ALABAMA INDUSTRIAL SCHOOLS—(See *Schools and Colleges*.)

ALABAMA INSANE HOSPITALS—

Commission to investigate charges against, H. 1370, p. 3386, 3554, 3665, 3808, 4231, 4239, 4248, 4251.

To provide for care of lands of, H. 1131, p. 2702, 2858, 3917.

ALABAMA MONUMENT COMMISSION—

Created, H. 390, p. 472, 1562, 4016, 4038.

ALABAMA NATIONAL GUARD—

Appropriation for expenses of encampment of, H. 333, p. 371, 781, 2151, 2237, 2254, 2299.

Regulate volunteer military forces, H. 334, p. 371, 420; Do. H. 568, p. 815, 917, 1199, 1303.

To fix salary of clerk of Adjutant General, H. 513, p. 682, 1658, 2810, 2854, 4016, 4105.

ALABAMA POLYTECHNIC INSTITUTE—

Erection and equipment of buildings, etc., H. 250, p. 291,
330, 1115, 1602, 1819, 1959.

To encourage technical education, to amend act, H. 960, p.
2463, 2785, 2953, 3341, 3443, 3771, 3807.

ALABAMA STATE CAPITOL—(See *Capitol*.)

ALFORD, J. R.—

Bills by, 291, p. 352, 1113, p. 2676; 1114, p. 2679; 1115, p.
2682; 1116, p. 2685; 1238, p. 2892; 1363, p. 3242.

ALMSHOUSES AND JAILS—

Provide for inspection of, H. 371, p. 447, 881, 1239, 1388, 1952,
2078, 2274, 2401; Do. amended, H. 1025, p. 2532, 2778,
3589; Do. S. 513, p. 3805, 3887, 4144, 4194.

ALTMAN, W. A.—

Bills by, H. 339, p. 371.

ANIMALS—(See *Game*.)

Further provide for prevention of cruelty to, H. 696, p. 1266,
1574.

Prevent spread of contagious diseases of, H. 147, p. 224, 388.

Provide punishment and payment for, when stolen, H. 256,
p. 292, 567, 918.

APPROPRIATIONS—

A. & M. College, Normal, for repairs on, H. 803, p. 1555, 2054,
3268

Aid rural school districts, H. 62, p. 80, 2061; Do. H. 423, p.
529, 549, 882, 886, 1818, 1959; H. 423, p. 529, 549, 985.

Alabama Industrial School, for white boys, for buildings,
H. 178, p. 248, 424, 1612, 2031, 2078; Do. H. 179, p.
248, 1614, 2031, 2078, 2335.

Agricultural School, at Sylacauga, for repairs, H. 1022, p.
2531, 3225.

Alabama National Guard, for expenses of, H. 333, p. 371,
1191.

Alabama Polytechnic Institute, in lieu of sale of fertilizer
tags, H. 671, p. 1158, 1310, 1475, 1500, 1603, 1819, 1849,
2274, 2302.

APPROPRIATIONS—*Continued.*

Alabama School for Deaf and Blind, H. 233, p. 277, 1609, 1703, 2031, 2078, 2274, 2302.

Caring for graves of confederate soldiers in Ohio, S. 187, p. 2125, 3557.

Certain sum to build public schools, H. 24, p. 59, 310, 312, 318, 324, 2087.

Chickamauga, to build monument at, H. 349, p. 385, 2060.

Clerical assistance for Board of Pardons, H. 1182, p. 2736.

Compensation for land clerk in Auditor's office, H. 270, p. 331, 1016, 1303.

Confederate soldiers, additional for, H. 202, p. 259.

Confederate Soldiers' Home, S. 226, p. 1724, 1929, 2103, 2186; Do. S. 228, p. 1725, 1929, 2164, 2184, 2239.

District Agricultural Schools, for support of, H. 198, p. 258, 2061.

Eclectic High school, H. 641, p. 1045, 1435, 3507, 3619.

Eighth Congressional District Agricultural School, for improvements, S. 83, p. 1725, 1760, 1882, 1962; Do. H. 501, p. 668; Do. H. 501, p. 668, 1210.

Erection of tomb at grave of John Murchy, H. 87, p. 182, 1151.

Establish reformatories for inebriates, H. 32, p. 60.

For completion 5th Cong. Dist. Agricultural school, H. 205, p. 259, 988, 1182, 1208, 1711, 1724.

Fertilizer tag tax to public schools, H. 101, p. 192, 2061.

For erection of monuments, H. 391, p. 472, 2060; Do. S. 600, p. 3957, 4029, 4136, 4226.

For furnishing certain offices in capitol, H. 1083, p. 2591, 2872, 3401, 4082, 4111.

For incidental and contingent expenses of Governor, H. 1107, p. 2674, 3216, 3403, 4021, 4073.

For Mary Morris, H. 1138, p. 2705, 3215, 3514, 3593, 3882, 3889.

For payment of reunions, H. 1361, p. 3242, 1361, 3651, 3818.

For protection of health of State, H. 818, p. 1653, 1760, 1895, 2232, 2269.

For relief of First National Bank, H. 329, p. 369, 550, 601, 602, 891, 912.

For relief of I. Moody, S. 440, p. 2989, 3067, 3373, 3445.

For relief of C. R. Gibson, S. 439, p. 2990, 3067, 3372, 3445.

For relief of Mrs. Sudie Bradley Lee, H. 1384, p. 3559.

APPROPRIATIONS—*Continued.*

For Secretary Senate and Clerk of House, for filing papers, S. 363, p. 3141, 3220, 4122, 4193.

For support of public schools, H. 24, p. 59, 310, 312, 1507, 1585, 2145; Do. H. 199, p. 258.

Graves of confederate soldiers, for caring for, H. 326, p. 369, 2061.

Harbor front of Mobile, for improvement, H. 978, p. 2482, 3225.

Jefferson Davis Home, to preserve, etc., H. 255, p. 292, 2061.

Mine Inspectors, equipping office of, H. 1323, p. 3081, 3215, 3692, 4201, 4231.

Medal for confederate soldiers, for purchase of, H. 1149, p. 2711, 3547.

Moneys granted by act of Congress, H. 982, p. 2485, 3072.

Moneys from sale of fertilizer tags, S. 507, p. 4065, 4093, 4197, 4227.

Monument to women of confederate states, H. 958, p. 2461, 3224.

Morgan, Hon. John T., to erect statue to, S. 578 1-2, p. 3927.

Ordinary expenses of Legislature, executive and judicial departments, etc., H. 1397, p. 3770, 3886, 4034, 4232; Do. H. 269, p. 331, 550, 323, 588, 707, 708, 710, 731, 871, 872, 912, 1075, 1118.

Plantersville High School, Dallas Co., H. 427, p. 554, 1435, 2883, 3283, 4159, 4235.

Public printing and binding, to extend, H. 1396, p. 3769, 3886, 4201.

Public schools, additional for, H. 57, p. 79, 2061; Do. H. 1006, p. 2502, 3225.

Railroad rate litigation, to pay expenses incurred in, H. 1093, p. 2659, 2872; Do. S. 541, p. 3114, 3216, 3661, 3830.

Reimburse contingent fund of Governor, H. 1350, p. 3139, 3379.

State Auditor, for compensation of bookkeeper in office of, H. 401, p. 491, 1210.

State Capitol, improvement of, H. 162, p. 240, 311, 312, 388, 401, 407; Do. H. 1310, p. 2946, 3068, 3406, 4082, 4110.

APPROPRIATIONS—*Continued.*

- Sumter Self Help Farm College, maintenance of, H. 1057, p. 2566, 3225.
- Supplies and stationery used by the Legislature, H. 906, p. 2405, 2786, 3397, 4072.
- Supplemental, for increased salaries of judicial officers, H. 732, p. 1338, 1929, 2096, 2339, 2340.
- Support of common public schools, H. 94, p. 186, 2061.
- To aid rural school districts, amend act, H. 1094, p. 2660, 3218, 3405, 4125, 4234.
- To pay expenses of fertilizer investigating committee, H. 1173, p. 2728, 3765.
- To pay expenses of fertilizer and cotton seed oil mill investigating committee, S. 547, p. 3435, 3547, 3862, 3921.
- To promote and encourage agriculture, S. 311, p. 1988.
- To the public schools, H. 153, p. 226, 2061.
- Transferring certain sum to common schools, H. 10, p. 57, 2061.
- T. T. Herbert, omitted from list of pensioners, H. 507, p. 671, 988, 1075, 1137, 1711, 1738.
- Tuskegee Normal and Industrial Institute, for examination of books of, H. 858, p. 2062, 3768.
- Two and three per cent fund to Mobile & West Ala. R. R. Co., H. 228, p. 274.
- Vicksburg Military Park, for erection of monument in, H. 1309, p. 2946, 3225.

ARCHIVES AND HISTORY—

- Historical material, publication of, H. 1186, p. 2738, 2876, 3088, 4016, 4039.
- To enlarge the duties of the department of, H. 240, p. 283, 417, 1894, 2241, 2257.
- To fix compensation of director of department of, H. 624, p. 1015, 2060.

ARNOLD, JOSEPH J.—

- Bills by: H. 62-3-4, p. 80; 187-88-89, 90, p. 256-7; 273, p. 332; 352-3, p. 426; 423, p. 529; 594, p. 934; 672, p. 1158; 673, p. 1159; 692, p. 1265; 780, p. 1535; 847, p. 1778; 848, p. 1779; 897, p. 2395; 1046, p. 2553; 1094-5, p. 2660; 1229, p. 2888; 1230, p. 2889; 1334, p. 3226; 1385, p. 3560.
- Resolutions by: p. 606.

ARRINGTON, R. H.—

Bills by: H. 596, p. 935; 597, p. 942; 598, p. 946; 599, p. 949;
621, p. 1014; 716, p. 1310; 786, p. 1536; 869, p. 2133;
869; 870, p. 2139; 902, p. 2401; 1162, p. 2715; 1163-4,
p. 2718; 1165, p. 2719.

ARMSTRONG, JAS.—

Bills by: H. 210, p. 261; 211-2-3, p. 262; 860, p. 2063; 861,
p. 2064; 926, p. 2432; 1120, p. 2697; 1121, p. 2698; 1246,
p. 2901.
Resolutions by: p. 286, 2317.

ASSESSORS, TAX—(See *Taxes and Taxation*.)

ATTORNEYS—

Fees to be ascertained, taxed as costs and paid in certain
causes, H. 305, p. 359, 575.
Provide for compensation of, appointed by court, H. 1021, p.
2531, 2879.
To define shystering by, H. 472, p. 638.
To prevent fraud between, client and defendant, H. 313, p.
360, 575.
To provide liens in favor of, H. 306, p. 359, 782.
Unlawful to practice as, without license, H. 714, p. 1310, 1429,
3684.

ATTORNEY-GENERAL—

Fix the salary of, H. 1240, p. 2896, 3555.
Provide for contingent expenses of, S. 481, p. 3677, 3768.

AUTAUGA COUNTY—

Prohibit the shipping or bringing liquor in, H. 1084, p. 2651,
2869.

AUTOMOBILES—

Regulate the running of, on public highways, S. 150, p. 2080,
2872, 4138, 4194; Do. amended, H. 1282, p. 2924, 3553.
Prevent the running of, on public roads, H. 1174, p. 2728,
3380.

AVERY, WM. R.—

Bills by: H. 261, p. 293; 412, p. 516; 1007, p. 2502.

BALDWIN COUNTY—

Allow beer to be sold by manager of Park Hotel, at Montrose,
H. 1293, p. 2929, 3222, 3483, 3592, 4037.

County building and groundsh, at Daphne, authorize commissioners to convey to trustees of Normal school, H. 238, p. 281, 310, 2004, 2076, 2238, 2258.

Magnolia Springs prohibit sale of liquor near, H. 566, p. 814, 879, 2040, 2338, 2340.

Ratify the lease of northeast quarter, of section sixteen, township five, south of range two, east, H. 593, p. 933, 1659, 3767, 3961, 4230, 4249.

Road and bridge contract, commissioners to let to lowest bidder, H. 1292, p. 2928, 3069, 3359, 3421, 3780, 3788.

BALLARD, EUGENE—(Autauga.)

Bills by: H. 92, p. 185; 93, p. 185; 241, p. 290; 580, p. 893; 714, p. 1310; 839, p. 1771; 1004, p. 2501; 1005-6, p. 2502; 1084, p. 2651; 1228, p. 2887.

Resolutions by: p. 50, 594, 1892.

BALLARD, H. W., (Pike.)

Bills by: H. 335, p. 371; 410, p. 496; 411, p. 506; 518, p. 747; 1282, p. 2924.

BALTZELL, W. B.—

Bills by: H. 207, p. 261; 369, p. 444.

BARBOUR COUNTY—

Establishment of branch circuit court of, H. 888, p. 2385, 2775, 2999, 3491, 3602.

Eufaula, to establish a dispensary, S. 36, p. 686, 739, 898, 1074.

Prohibit the sale of liquor in, S. 37, p. 686, 739, 898, 1074.

Prohibit the sale of liquor near Mt. Zion Bap. Church, H. 885, p. 2383, 2780, 2966, 3458, 3774, 3787.

BANKHEAD, JOHN H.—

Elected United States Senator, p. 3110.

BANKS—

Provide for examination and regulation of, H. 439, p. 565, 989.

Regulation of business of banking, amend act, H. 332, p. 371, 614; Do. H. 1367, p. 3246, 3384.

BATTLE OF TOHOPEKA—

Provide for celebration of 100th anniversary, H. 1179, p. 2735,
2877, 3370, 3424, 4017, 4038.

BASEBALL—

Amend act, to prohibit playing on Sunday, H. 15, p. 226, 600.

BARTON, W. M.—

Bills by: H. 709, p. 1275; 1040, p. 2547; 1042, p. 2548; 1043,
p. 2550; 1188, p. 2738.

BENNETT, H. G.—

Bills by: H. 717, p. 1317; 828, p. 1763; 829, p. 1765; 1364, p.
3244.

BENSON, JAS. S.—

Bills by: H. 214, p. 264; 927, p. 2432; 1073, p. 2584; 1074-5, p.
2584.

BIBB COUNTY—

Blocton school district, amend act, H. 533, p. 788, 1439; Do.
S. 185, p. 1346, 1431, 2030, 2090.

Change and define boundary line between Shelby, Jefferson
and, H. 449, p. 616, 990, 1079, 1138, 2126.

County Commissioners, provide for election of, H. 891, p. 2389,
2768, 2967, 3407, 3780, 3807.

Dispensaries, provide for auditing, S. 634, p. 4044, 4092.

Fix time of holding circuit court in, H. 787, p. 1542, 1753,
2028, 2040, 2262, 2298.

Further prescribe the duties of deputy solicitor, H. 890, p.
2388, 2777, 3028, 3280, 3880, 3890.

Public roads, regulate the working of, H. 892, p. 2390, 2768,
3010, 3411;; Do. S. 420, p. 3325, 3380, 3631, 3634, 3675,
3829.

Regulate costs in criminal cases, H. 74, p. 74, 92, 387, 765,
987, 1580 1587.

Regulate proceedings in criminal cases, for violation of pro-
hibition law in, H. 76, p. 168, 306, 717, 730, 1581, 1642,
2176.

BIBB COUNTY—*Continued.*

Regulate the trial of misdemeanors in, amend act, H. 825, p. 1654, 1759, 2029, 2041; Do. S. 327, p. 1944, 2052, 2625, 2803, 2975.

Traction engines, prohibit operation of, on public roads, H. 889, p. 2386, 2768, 3212, 3413, 3777, 3785; Do. S. 421, p. 3324, 3551, 3728, 3828.

West Blocton, amend act to incorporate, H. 532, p. 787, 1032; Do. S. 184, p. 875, 1030, 1243, 1302.

BILLS—

Regulate introduction, consideration, engrossing, etc., H. 26, p. 60.

BILLS LADING—(See *Receipts.*)BIRDS—(See *Game.*)

BLOUNT COUNTY—

Collection and assessing of taxes, require one round foqr, H. 1089, p. 2653, 2874, 3136, 3409, 3774, 3786.

Commissioners to levy road tax, repeal act, H. 78, p. 170, 308, 718, 731, 1293, 1303.

Constitute Blountsville a separate school district, repeal act, S. 258, p. 1715, 1759, 2813, 2975.

Fine and forfeiture fund, repeal act, to regulate, H. 98, p. 189, 909.

Public roads, provide better system of, H. 79, p. 171, 308, 769, 909, 1645, 1958.

Regulate liquor licenses, repeal act, H. 1091, p. 2657, 2868, 3135, 3421.

BLOCH, SOL. D.—

Bills by: H. 61, p. 80; 442, p. 527; 1033, p. 2540; 1034, p. 2541; 1035, p. 2542; 1036, p. 2543; 1037, p. 2544; 1183, p. 2736; 1310, p. 2946.

Resolutions by: p. 2369, 2647.

BLANKS—(See *Justices of the Peace.*)

BOARDS OF REVENUE—

Authorizing to build court houses, H. 36, p. 61, 306, 832, 889.
 Authorized to compromise certain claims, H. 39, p. 62, 417,
 1285, 1304, 2261, 2299.

Authorized to purchase and keep bloodhounds, H. 359, p.
 429; Do. H. 820, p. 1653, 2132, 3013, 3410.

Authorized to levy special tax for public roads, H. 715, p.
 1310, 1434, 1514, 1590, 2304, 2316.

Confirm acts of, in allowing fees in felony cases, H. 1353, p.
 3239, 3556.

Elections for establishment of stock districts, amended, H.
 1185, p. 2737, 2863; Do. H. 172, p. 243; Do. H. 1020, p.
 2530.

Provide for publication of proceedings of, H. 211, p. 262, 918.

Refund taxes erroneously collected, amended, H. 1120, p. 2877,
 3619.

Require officers, etc., to purchase material and supplies in
 county, H. 1262, p. 2906, 3379.

Stock law fences, unlawful, H. 1152, p. 2711, 2880.

To make order on petition of freeholder, which estate ad-
 joins a stock law precinct, same to be governed by gen-
 eral stock law, H. 1263, p. 2906.

BONDS—

Authorize retirement of Alabama, H. 1193, p. 2742, 2861.

Providing for making, of Auditor and Secretary of State, H.
 907, p. 2405, 2777, 2959, 3773, 3806.

BOUNDARIES—

Ascertain and establish disputed, H. 441, p. 566, 1474, 2169.

BRIDGES—(See, *Public Roads and Bridges.*)

BROWN, JNO. A.—

Bills by: H. 521, p. 747; 1101, p. 2663; 1307, p. 2940.

BULGER, THOS. L.—

Bills by: H. 57-8, p. 79; 177, p. 248; 415, p. 516; 527-8, p.
 784; 625, p. 1033; 659, p. 1113; 798, p. 1548; 814, p.
 1652; 1023, p. 2531; 1024, p. 2532; 1179-80, p. 2735;
 1303, p. 2938; 1311, p. 2946; 1330, p. 3085.

Resolutions by: p. 55, 56, 164, 868, 2074, 2122, 2379, 2889, 3122,
 3286, 3897.

BUCKET SHOPS—

To define and prohibit, H. 281, p. 335.

BULLOCK COUNTY—

Allow sheriff fees for attendance upon trial of habeas corpus cases, H. 1268, p. 2908, 3069, 3356, 3423, 3882, 3889.

Commissioners to pay removal fees, etc., of persons charged with misdemeanors, H. 1267, p. 2907, 3069, 3355, 3414, 3775, 3789.

Election of county superintendent of education, repeal act, H. 985, p. 2393, 2871, 3140, 3412, 3882, 4072.

Provide better system for working public roads, repeal act, H. 1190, p. 2739, 2866, 3137, 3425, 3777, 3806.

Provide for sheriff of, H. 1191, p. 2740, 3151, 3420, 3775, 3788.

Repeal act, to prohibit sale of liquor without precinct 8, H. 350, p. 425, 609, 768, 773, 916, 1580, 1584; Do. H. 448, p. 615, 878, 1374, 1389, 1710, 1738.

Separate school district in Midway, amend act creating, H. 425, p. 552, 1372, 1389, 1643, 1706.

BUTLER COUNTY—

Authorize commissioners to contract for telephones, etc., H. 1298, p. 2933, 3070, 3361, 3420, 3773, 3787; Do. S. 3610, 3766.

Commissioners to order elections for establishment of stock districts, S. 415, p. 3329, 3551, 3731, 3828; Do. repeal act, H. 896, p. 2394, 2773, 3143, 3412, 3773, 3786.

Empower commissioners to employ janitor, H. 1296, p. 2931, 3070, 3358, 3424, 4233, 4238; S. 585, p. 3609, 3766.

Establish dispensary in Georgiana, H. 89, p. 184, 552, 746; Do. S. 29, p. 862, 1762, 1844.

Fix compensation to be allowed sheriff, H. 1295, p. 2930, 3070, 3358, 3419; Do. H. 1297, p. 2932, 3070, 3361, 3418.

Fix compensation to be allowed circuit clerk of, H. 1299, p. 2935, 3070, 3362, 3420.

CALCIUM CYANAMID—

To encourage the manufacture of, H. 1130, p. 2702, 2864, 2886, 3277, 3676, 3714.

CALHOUN COUNTY—

Act to create Anniston a separate school district, to amend,
H. 1046, p. 2553, 2785, 2972, 3283, 3707, 3788.

Authorize the establishment of a dispensary at Oxford, H.
452, p. 622, 739, 851, 911, 1577, 1597.

Change the court of county commissioners, etc., H. 277, p.
332, 577, 724, 725, 730.

Change the boundary line between Cleburne and, H. 673, p.
1159, 2881; Do. 897, p. 2395, 2779, 2973, 3341, 3443.

Change the boundary line between Etowah and, H. 765, p.
1464, 1658, 1900, 1963; Do. H. 1044, p. 2551, 2779, 3012,
3408, 3780, 3788, 4234.

Create office of auditor for commissioners court, H. 451, p.
620, 779.

Declare the powers and jurisdiction of city court of Anniston,
amended, S. 341, p. 1805, 2050, 2286, 2345.

Judge of city court of Anniston, to fix salary, H. 847, p. 1778,
2051, 2636, 2795, 3571, 3602; Do. to make elective, S. 266,
p. 1718, 1758, 2636, 2809.

Oxford, arrange the boundaries of, H. 278, p. 334, 781, 974,
1071, 2151, 2176.

Public roads, provide for better working, H. 850, p. 1865, 2056,
Regulate by dispensary, sale of liquor, H. 849, p. 1858.

Regulate practice in circuit court of, S. 342, p. 1803, 2051,
2286, 2345.

Require tax assessor and collector to visit each precinct once
a year, H. 1095, p. 2660, 2873, 3144, 3410, 3778, 3789.*

Regulate practice in circuit court of, amended, H. 1386, p.
3560, 3648, 3852, 4146, 4234.

Surveyor's transits, provide for purchase of, S. 249, p. 1509,
1656, 2288, 2342.

CAPITOL, STATE—

For improvement of, H. 162, p. 240, 311, 312, 388, 401, 407.

Refurnishing and keeping in repair, H. 1359, p. 3242, 3382,
3662, 4201, 4231.

CANNON, WM. M.—

Bills by: H. 115, p. 198; 290, p. 349; 366, p. 434; 538, p. 791;
820, p. 1653,

CARMICHAEL, A. H., (Colbert.)—

Elected Speaker, p. 2296.

Presented with gavel by Troy Normal College, p. 2853.

Bills by: H. 69, p. 81;; 70, p. 82; 90-1, p. 185; 197, p. 258;
357, p. 428; 454, p. 628; 535-6, p. 789; 666, p. 1114; 736,
p. 1340; 782-3, p. 1535; 805, p. 1555; 844-5, p. 1776; 903,
p. 2403; 904, p. 2403; 905-6, p. 2405; 1083, p. 2591;
1102, p. 2662; 1103, p. 2666; 1198, p. 2748; 1232, p. 2890.

Resolutions by: p. 868, 919, 1026, 1093, 1198, 1291, 1526,
1638, 1639, 2038, 2193, 2312, 2314, 2371, 2612, 2885.

CARMICHAEL, J. D., (Clay.)—

Bills by: H. 595, p. 934; 631, p. 1036; 632, p. 1038; 633, p.
1039; 639, p. 1041; 753, p. 1451; 779, p. 1534; 899, p.
2397; 900, p. 2398; 901, p. 2400; 1365, p. 3244.

Resolutions by: p. 1854, 2649.

CEMENT—

Promote and secure factories for manufacture of, H. 1290, p.
2927.

CHAMBERS COUNTY—

Authorize board of education to establish high school, H. 1344,
p. 3233, 3649, 3853, 4145, 4234.

CHARTERS—(See *Cities and Towns.*)**CHEROKEE COUNTY—**

Prohibit manufacture of liquor in, H. 1100, p. 2662, 2867, 3145,
3418, 3772, 3786.

CHILDREN—

Attendance on public schools, provide for, S. 90, p. 1119, 1431.

Attendance on public schools of, indigent, S. 30, p. 1724.

Census of school, provide for taking, S. 314, p. 2126, 3218, 4177,
4202, 4226.

Define who are delinquent, H. 30, p. 60, 306, 744, 880, 1759,
2241, 2361; Do. amended, S. 448, p. 3323, 3381, 3967,
4054; Do. H. 777, p. 1530, 1656.

Educate on evils of intemperance, H. 320, p. 367, 880, 3926.

Maintenance of minor, H. 802, p. 1555, 2789; Do. S. 309, p.
2232, 2775.

Provide penalty for false enumeration of, S. 65, p. 1948, 2052.

Regulate employment, in factories, etc., H. 42, p. 62.

CHILTON COUNTY—

Amend charter of city of Thorsby, as to selling wine, H. 282, p. 336, 882.

Prohibit sale of wine in Thorsby, H. 989, p. 2396, 2871, 3509, 3593, 3877, 3891.

Provide for closing dispensary in Clanton, H. 1098, p. 2661, 2868, 3146, 3409, 3871, 3891.

To establish dispensary in Clanton, H. 574, p. 891, 1755, 1910, 1962, 2180, 2197.

CHOCTAW—

Board of revenue to constitute a board of jury commissioners, H. 85, p. 180, 308; 1618, 1704, 1955, 2077.

Confer additional jurisdiction on county court of, H. 83, p. 177, 308, 753, 910, 1199, 1303.

Convert surplus of fine and forfeiture fund into special court house fund, H. 84, p. 178, 308, 566, 571, 774, 833.

Legalize acts of commissioners' court, S. 543, p. 3141, 3217, 3498, 3684.

CIGARETTES—

Prohibit the sale of, H. 857, p. 1933, 2870.

CITIES AND TOWNS—

Annexation of, into contiguous, H. 35, p. 61, 1097, 1503, 4046, 4111.

Authorized to construct and operate water works and electric light plants, H. 182, p. 249, 1097, 3799, 3808, 4064, 4109.

Authorized to refund taxes erroneously collected, H. 308, p. 259, 1436.

Authorized to repair and improve streets, etc., H. 372, p. 447, 1152, 1441, 1659, 2153, 2260, 2312; Do. H. 493, p. 660; Do. amended, H. 1198, p. 2748, 3071, 3402, 4231, 4250.

Authorize to maintain and operate water works, H. 543, p. 800, 1098, 1480, 1600; Do. H. 544, p. p. 800.

Authorize to create the office of recorder, H. 600, p. 951, 1097.

Authorized to amend charter by ordinance, H. 771, p. 1468, 1931.

Authorized to levy and collect license tax, H. 834, p. 1769; Do. H. 835, p. 835, p. 1769, 1856, 2166, 2304, 2315.

CITIES AND TOWNS—*Continued.*

Authorize institution of suits to remove structures upon public highways, H. 838, p. 1770, 2790.

Authorize to sell water works, gas, etc., plants, H. 1122, p. 2700.

Authorize to compel the construction of bridges, etc., over, under or across R. R. tracks, H. 1133, p. 2703, 2858, 3847, 4237.

Authorize to borrow money, H. 1137, p. 2705.

Authorize to contract for cemeteries, H. 1312, p. 2946, 3221; Do. S. 487, p. 3827, 3885, 4084, 4120.

Bonds to refund outstanding indebtedness, allow to issue, H. 1378, p. 3392, 3653, 3848, 4232, 4249.

Better regulate sale of liquor in, H. 440, p. 565, 1761.

Cause elections to be held, to authorize bond issue, H. 489, p. 660, 781.

Compel public utility corporations to file annual reports, H. 295, p. 353.

Compel owners of stables, etc., to observe sanitation, H. 681, p. 1212, 1759.

Confer additional rights, powers, etc., on, S. 284, p. 1966, 4058.

Confirm charters and amendments of, H. 164, p. 240, 781.

Confer on governing bodies of, who operate dispensaries, right to share profits, S. 435, p. 3090, 3384, 3896, 4105, 4212.

Declare charters forfeited, H. 1199, p. 2749; Do. H. 168, p. 243, 390, 916.

Elections to authorize bond issue, amended, S. 274, p. 4068.

Elections to prohibit sale of liquor in, S. 568, p. 4082, 4092.

Establish police commission in, H. 852, p. 1877, 2051; S. 372, p. 2178, 2224, 2346, 2360.

Exempt volunteer fire companies from military and jury duty, S. 377, p. 2349, 2792.

Fixing wards in, and representation in council, H. 789, p. 1542.

Incorporation, organization and government, to provide for, H. 268, p. 305.

Municipalities to make and publish semi-annual statements, H. 1279, p. 2922; Do. H. 1277, p. 2922, 3221.

CITIES AND TOWNS—*Continued.*

- Of certain population, to establish board of public work, H. 770, p. 1468, 1856.
- Payment of premiums to fire departments of, by insurance companies, H. 373, p. 475, 991.
- Permit the erection of public buildings in parks, H. 477, p. 639, 1563.
- Provide for enumeration of inhabitants of, H. 380, p. 463, 1569.
- Providing means for extension of corporate limits of, H. 34, p. 61, 1097, 1501, 4046, 4110; Do. S. 358, p. 2130, 2223, 2339, 2360.
- Provide for establishment of police commissioners, H. 492, p. 660; Do. S. 372, p. 2178, 2224, 2346, 2360.
- Prevent the erection of warehouses, etc., across public streets H. 534, p. 789, 1032.
- Provide for drainage by sanitary and storm water sewers, etc., S. 272, p. 1817, 1856, 2175, 2345; Do. H. 643, p. 1046, 1149.
- Prohibit from advertising for bids for pavements, which are patented, H. 556, p. 810, 1032.
- Provide for settlement of bonded indebtedness, amended, H. 1150, p. 2711, 2876, 3089, 3772, 3806.
- Provide for organization, incorporation, etc., of, H. 1158, p. 2714, 2876.
- Provide for regulation of, S. 509, p. 3210, 3221, 3447, 3591, 3665, 3959, 4209, 4252.
- Provide method for regulating rates to be charged by public utility corporations, H. 295, p. 353.
- Regulate the administration of affairs, where boundary lines are changed; H. 930, p. 2439, 2856, 3266, 3425, 4055, 4110.
- Regulate, that alter boundary lines, H. 931, p. 2439, 2856, 3844, 4056, 4111.
- Relating to the subdivision of, into wards, H. 1136, p. 2705.
- Repeal act, to prevent stock from running at large, H. 431, p. 562, 581, 783.
- To classify, H. 227, p. 273, 1574.
- To further regulate elections in, H. 490, p. 660, 916, 1495, 1590.

CITIES AND TOWNS—*Continued.*

To provide for salaries of officers of, H. 491, p. 660, 1496, 1590, 2270, 2362, 2372.

Which own dispensaries to contract with county to give 50 per cent to pay interest on bonds, S. 329, p. 1949, 2131, 2283, 2344.

CLARKE COUNTY—

Amend act, to incorporate Jackson, H. 630, p. 1034, 1437, 2013, 2041, 2339, 2341.

Board of revenue to set apart funds for payment of witnesses, H. 86, p. 181, 308, 754, 986; 1199, 1303.

Confer jurisdiction of all misdemeanors on the county court of, S. 128, p. 734, 1309, 1515, 1592, 1740, 1989, 2186, 2324.

Create a criminal court of record for, repeal act, H. 1099, p. 2662, 2874, 3131, 3409, 3779, 3788.

Extend the corporate limits of Jackson, H. 88 p. 182.

Provide for payment of jurors in, H. 862, p. 2064, 2771, 2977, 3283, 3780, 3785.

Re-arrange part of boundary line between Marengo and, H. 432, p. 562, 601.

CLAY COUNTY—

Charter for town of Lineville, amend act, to establish, H. 633, p. 1039, 1437; Do. S. 264, p. 1724, 1856, 2281, 2343.

Charter for Ashland, amend act, to establish, H. 639, p. 1041, 1569, 1834, 1920, 2231, 2257.

Establish county court of, amended, H. 900, p. 2398, 2860, 3489, 3618, 3957, 4073.

Legalize road claims of certain parties, H. 632, p. 1038, 1149.

Legalize unpaid claims for services and material for, H. 753 p. 1451, 1655.

Legalize the payment of certain claims from general fund of, H. 595, p. 934, 988, 1380, 1389, 1888, 1889.

Provide for an election, on stock running at large, amended, H. 631, p. 1036, 1149, 1379, 1388, 1922, 1960.

To pay annually on claims for roads and bridges, H. 901, p. 2400, 2769, 2978, 3280, 3774, 3806.

Validate claims against, H. 899, p. 2397, 2775, 2978, 3280, 3774, 3787.

CLEBURNE COUNTY—

Change boundary line between Calhoun and, H. 673, p. 1159, 2881; Do. H. 897, p. 2395, 2779, 2973, 3341, 3443.

Fix boundary line between Randolph and, S. 397, p. 3098, 3379, 3640, 3706.

To abolish the county court of, H. 521, p. 747, 880, 970, 1137, 1581, 1597.

COCA COLA—

Prohibit the sale of, H. 772, p. 1468.

CODE—

Provide for publication and distribution of, H. 940, p. 2448, 2856, 3088, 2171, 3572, 3658.

Repeal section 2038, and act amendatory thereof, H. 413, p. 516.

Repeal section 3571, H. 414, p. 516.

Repeal section 2038, H. 435, p. 565.

Repeal section 4593-5, as to Houston county, H. 16, p. 58.

Repeal act, to repeal, sections 3957-3963, S. 596, p. 3723, 3766.

Amend chapter 19, article 1, sections 897 and 911, S. 69, p. 1922, 2051, 2265, 2267, 2342.

Amend chapter 98, H. 241, p. 290, 1755.

Amend chapter 78, H. 547, p. 805, 2778, 3811.

Amend section 3622, article 9, H. 961, p. 2463, 2789.

Amend article 1, chapter 109, H. 1144, p. 2709, 2861.

Amend sections 897 and 911, chapter 19, article 1, H. 1220, p. 2761, 2862, 3511, 3593, 4233, 4238.

Do. Sec. 42, S. 26, p. 874, 1096.

111, H. 377, as to administrator, p. 463, 576.

202, H. 486, p. 659, 1563.

382-4, 398, S. 371, p. 3660, 3767.

393, H. 1300, p. 2935, 3067, 3919, 4159, 4234.

394, H. 1143, p. 2709, 3557.

426-7, 431, 434, and 456, S. 635, p. 4043, 4092, 4172, 4212.

427, H. 183, p. 249, 608.

525, H. 288, p. 349, 418.

801, H. 510, p. 673, 1573.

809, H. 1075, p. 2584, 2858, 3796, 4021, 4073.

CODE—Continued

- 909, H. 150, p. 225, 1586.
 932, H. 1338, p. 3230, 3555, 4026.
 958, H. 40, Subd. 3 of, p. 62, 612.
 958, Subdiv. 4 of, H. 1289, p. 2927.
 958, Subdiv. 3 of, H. 676, p. 1161, 1565, 3223.
 962, S. 154, p. 1058, 1150.
 992, H. 758, p. 1462, 1566.
 1009, H. 291, p. 352, 418; Do. S. 156, p. 1949, 2222.
 1116, 1117, 1118, 1119, 1120, H. 628, p. 1034, 1151, 3397, 4230,
 4239.
 1134, H. 910, p. 2406, 2877.
 1163, Subd. 10, H. 666, p. 1114, 1929.
 1163, and re-enact, H. 695, p. 1266, 1564.
 1310, 1313, S. 74, p. 413, 738, 2289, 2342.
 1321 and 1322, repeal act to amend, H. 1069, p. 2581, 2788.
 1321 and 1322, H. 378, p. 468, 1163, 3528, 3618, 4064.
 1321 and 1322, H. 1351, p. 3239.
 1321 and 1322, H. 615, p. 955, 1472, 1794, 2076, 2241, 2303, 2346,
 2361.
 1372, S. 506, p. 3307, 3766, 3963, 4015, 4054.
 1377, Sudb. H. 1303, p. 2938, 3064, 3688, 4046, 4109, 4231.
 1446, 1447, H. 406, p. 494, 990.
 1485, H. 880, p. 2320, 2792.
 1718-20, H. 694, p. 1266, 1564.
 1803, S. 1, p. 323, 1155.
 1876, H. 325, p. 369, 419, 712, 730, 958, 967.
 1876 to 1879, H. 791, p. 1543, 1754.
 1883, H. 426, p. 553, 780.
 1966, H. 399, p. 491, 550, 1017.
 2030, H. 1128, amended, p. 2702, 2879.
 2030, H. 389, p. 472, 914, 1015, 1370, 1403.
 2038, H. 362, amended, p. 432, 740, 918, 1212.
 2038, H. 412, p. 516, 1438.
 2038, H. 591, p. 933.
 2038, H. 661, repeal and amend, p. 1114.
 2201, H. 437, p. 565, 740.
 2206, H. 704, p. 1271, 1430, 2117.
 2226, H. 117, p. 203, 394, 1050, 1094, 1562, 1851.
 2249, 2252, H. 4, p. 57, 418.

CODE—Continued.

- 2301, H. 462, p. 634, 778, 911, 1410, 1445.
- 2452, H. 636, as to road duty, p. 1040, 1209.
- 2516, S. 281, as to navigable streams, p. 2092, 2222.
- 2574, H. 1381, p. 3394, 3554, 3910.
- 2584, H. 1364, Subd. B., p. 3244, 3555.
- 2584, H. 623, p. 1015, 1567, 1825, 1919, 2231, 2302.
- 2596, H. 479, p. 643, 1150.
- 2607, H. 20, p. 59, 388.
- 2615 to 2618, H. 627, p. 1034, 1150.
- 2626, H. 61, p. 80, 917.
- 2655, H. 488, p. 660, 1563.
- 2668, H. 302, p. 356, 575.
- 2677, H. 303, p. 356, 582.
- 2695, S. 615, p. 3805, 3887.
- 2723, 2727, 2731, H. 314, p. 360, 1438.
- 2807, H. 1283, p. 2924, 3071.
- 2904, H. 1324, p. 3081, 3547, 4007, 4250.
- 2926, S. 75, p. 1058, 1430.
- 2937, H. 170, p. 243, 314.
- 2937, H. 9, p. 57, 311, 389, 424, 538, 837, 838, 862.
- 2937, H. 1226, amended, p. 1226, 2766.
- 2942, S. 213, p. 1948, 2055; Do. H. 495, p. 662, 1210.
- 2950, H. 496, p. 662, 1437.
- 3054, H. 684, p. 1214, 1430; Do. H. 729, p. 1336, 1429.
- 3055, H. 683, p. 1214, 1430.
- 3093 to 5, 3098-9, 3012, 3105, 3106, 3108, H. 626, p. 1034, 1150.
- 3384, H. 11, p. 58, 421.
- 3410, H. 749, p. 1428, 1571.
- 3443, H. 75, p. 93, 778.
- 3454, H. 432, p. 432, 1211.
- 3505, H. 511, p. 673, 1563.
- 3520, H. 232, p. 277, 386.
- 3550, H. 663, p. 1114, 1155.
- 3571, H. 414, p. 516, 1475.
- 3575, H. 579, p. 893, 1154, 1565; H. 635, p. 1040, 1148.
- 3575, H. 636, p. 1040.
- 3597, H. 1159, to repeal, p. 1159, 2881.
- 3602, S. 155, amended, p. 1346, 1608, 1740; Do. H. 405, p. 566, 1152, 1436, 3506, 3507, 3516, H. 473, p. 638, 1761.

CODE—*Continued.*

- 3622, H. 1236, p. 2891, 3654.
- 3698, 3700, 3702-4, 3710, H. 730, amended, p. 1336, 1430.
- 3700, S. 321, p. 3284, 3649, 4183, 4226.
- 3841, H. 29, p. 60, 306, 312, 396, 407, 1208, 1255, 1261.
- 3866, H. 944, p. 2449.
- 3903, H. 458, p. 632, 1440.
- 3902, H. 503, Subd. 8 of, p. 670, 881.
- 3902, S. 118, Subd. 2 of, p. 733, 878, 2844, 2975.
- 3906, H. 312, p. 360.
- 3911, H. 331, p. 376; Do. Subd. 7 of, H. 318, p. 367, 613, 881.
- 3921, H. 361, p. 367, 613.
- 3925, H. 7, p. 57, 613.
- 3931, H. 188, p. 256, 421; H. 525, p. 783, 1566, 2632, 2794.
- 3963, H. 1, p. 56, 307.
- 3966, H. 309, p. 360, 782.
- 3967, H. 310, p. 360, 782.
- 3971, H. 311, p. 360, 782.
- 3972, S. 3, p. 317, 609, 2351, 2359.
- 3989, H. 1331, p. 3085; Do. H. 745, p. 1420, 1761.
- 3997, H. 784, p. 1535, 1761.
- 4003, H. 187, p. 256, 421; Do. H. 570, p. 817, 878.
- 4066, H. 613, p. 955, 1472, 1919.
- 4106-7, H. 1246, p. 2901, 3068, 4009.
- 4120, H. 1375, p. 3389.
- 4122, H. 662, amended, p. 1114, 1209.
- 4278, S. 34, p. 874, 1096.
- 4279, S. 35, p. 323, 1147.
- 4306, H. 186, p. 256, 918; Do. H. 207, p. 261, 420.
- 4314, H. 23, p. 59, 608.
- 4319, H. 1074, p. 2584, 2879; S. 126, p. 1058, 1209.
- 4325, H. 1096, p. 2661, 2862.
- 4333, H. 737, p. 1415, 1757.
- 4340, H. 19, p. 59, 608.
- 4346, H. 723, p. 1330; H. 417, p. 513, 1099, 1488.
- 4417, S. 169, p. 3210, 3220.
- 4420, H. 343, p. 381, 1440, 3655.
- 4447, H. 442, p. 582, 737, 1258, 1953, 2077.
- 4451, H. 801, p. 1555, 1657, 4035.
- 4457, S. 346, p. 1988, 2055, 2146, 2239.
- 4506, H. 438, p. 565, 1563.

CODE—*Continued.*

- 4532, H. 535, p. 789, 1029.
 4579, H. 21, p. 59, 780.
 4580, 4581, H. 1052, p. 2562, 2858.
 4583, S. 124, p. 1053, 2062, 3063.
 4596, H. 996, p. 2495, 2861; Do. H. 352, p. 426.
 4630, H. 145, p. 224, p. 313; Do. S. 326, repeal as to Bibb county, p. 3260, 3549, 3850, 3903, 3950.
 4655, H. 14, p. 58, 311; Do. S. 95, p. 1058, 1209.
 4714, H. 15, p. 58, 1438.
 4715, H. 1392, p. 3656, 3767, 3989; Do. repeal act, H. 1142, p. 2708, 2874, 3538, 3617.
 4730, H. 412, p. 516, 1438; H. 590, p. 933, 1757, 2842, 2854, 4146, 4236.
 4730, H. 353, p. 426, 1429; Do. S. 79, p. 1058.
 4758, H. 120, p. 203, 307, 1363, 1388.
 4751, H. 776, p. 1529, 2059.
 4762, S. 80, p. 706, 877.
 4792, H. 994, p. 2495, 2790.
 4797, H. 998, p. 2497, 2790; Do. 564, p. 813, 915, 3621.
 4803, H. 957, p. 2461, 2790.
 4909, H. 118, p. 203, 608.
 5001, H. 192, p. 257, 608, 3565, 4149, 4234.
 5005, H. 53, p. 79, 548.
 5016, H. 56, p. 79, 548.
 5049, H. 248, p. 291, 313, 418; Do. H. 47, p. 63.
 5050, H. 249, p. 291, 418, 608, 778; Do. H. 109, p. 196.
 5050, S. 82, p. 706.
 5065, H. 909, p. 2406, 2776.
 5076, H. 22, p. 59, 387; Do. S. 94, p. 733, 880.
 5086, H. 13, p. 58, 306, 831, 889.
 5087, H. 209, p. 261, 878.
 5091, H. 603, p. 952, 1096.
 5284, H. 159, p. 238, p. 314.
 5297, H. 436, p. 565, 740.
 5426, H. 470, p. 638, 1029.
 5522 and 5524, H. 1260, p. 2906, 3224.
 5538, H. 1330, as to Tallapoosa county, p. 3085, 4095.
 5538, H. 1078, p. 2585, 2790.
 5606, H. 1388, p. 3561, 3655.

COFFEE COUNTY—

- Act to establish Elba school district, amended, H. 1165, p. 2719, 2864, 3188, 3416, 3876, 3889, 4144, 4236.
- Authorize Elba to sell liquor, H. 716, p. 1310, 1433, 1619, 1742, 1966, 2078.
- Authorize Brocton to sell liquor, H. 786, p. 1536, 1756, 3041, 3425, 4019, 4111.
- Authorize Enterprise to sell liquor, H. 869, p. 2133, 3216, 3501, 3674, 4020, 4107.
- Establish a probate office at Enterprise, H. 597, p. 942, 1027, 1188, 1290, 1710, 1739.
- Establish county court of, repeal act, H. 870, p. 2139, 2772, 2969, 3408, 3780, 3806.
- Increase of amount to be paid circuit clerk, H. 1164, p. 2718, 2874.
- Provide for holding separate terms of circuit court at Enterprise, H. 596, p. 934, 1027, 1188, 1288, 1737, 1959; Do. amended, H. 1162, p. 2715, 2859, 3189, 3458, 3876, 3892.
- Provide for holding separate terms of chancery court, H. 598, p. 946, 1027, 1245, 1288, 1711, 1739.
- Provide for holding sessions of county commissioners of, H. 599, p. 949, 1027, 1377, 1389, 1711, 1739.
- Provide for collection and disbursement of appropriations to public schools, H. 902, p. 2401, 2785, 3042, 3280, 4021, 4072.

COLBERT COUNTY—

- Authorize certain towns to operate dispensaries, H. 70, p. 82, 550, 713, 773, 982, 1145, 1292, 1293; Do. amended, H. 1102, p. 2663, 2867, 3153, 3418, 3777, 3841; Do. H. 1103, p. 2666, 2870, 3152, 3423, 3881, 3893.
- Commissioners to pay executor of J. H. Simpson, H. 69, p. 81, 307, 757, 889, 3572, 3603.
- Commissioners to pay W. E. Bevill, ex-sheriff, H. 454, p. 628, 780.
- Prohibit sale of liquor in, exceptions, H. 904, p. 2403, 2779, 2980, 3282, 3881, 3892.
- Prohibit the sale of liquor in precincts 9 and 12, H. 536, p. 789, 879, 1381, 1390, 1955, 2077.

COLEMAN, W. M.—

Bills by: H. 151, p. 226; 152-3-4, p. 226; 225, p. 273; 251, p. 292; 505, p. 670; 554, p. 810; 1049, p. 2555; 1148, p. 2711; 1149, p. 2711; 1200, p. 2749; 1257, p. 2904.
Resolutions by: p. 254, 414, 1026, 1093, 2647, 3647.

CLAIMS—

County script, prohibit from buying, H. 124, p. 204, 581
Regulate settlement, due estates, H. 485, pp. 658, 1560.
Settle certain, against the State, H. 1216, p. 2758, 3555.

COLLECTORS, TAX—(See *Taxes and Taxation*.)

COMMERCIAL FERTILIZERS—(See *Fertilizers*.)

COMMISSIONER OF AGRICULTURE AND INDUSTRIES—

Compensation of assistant clerk, H. 856, p. 1933, 2055, 4023, 4232, 4239.

COMMITTEES—

Appointed to arrange for inauguration of Governor, p. 16, 18.
Appointed to invite ministers to open House with prayer, p. 109.
Appointed to report joint Rules, p. 252.
Appointed to visit Ala. Industrial School, for white boys, p. 1196.
Recess, Report of, as to, p. 2373.
Reports of, on Rules, p. 109, 288, 290.
Revision of Journal, report of, p. 286.
Rules, appointment of standing, p. 52, 2610.
Standing, of the House, p. 120.
To assign seats to members, p. 6.
To notify Governor of organization, p. 17.
To consider how manuscript of new Code be read and considered, p. 251.
To prepare resolutions of respect, on death of Hon. W. L. Martin, p. 2297.
To visit Ala. Boys' Industrial school, report of, p. 1587, 2274
To wait upon the Governor, p. 4253.

COMMITTEES, JOINT—

- To consider new Code, report of, p. 4239.
- To sit during recess to prepare municipal bill, H. 763, p. 1464, 1562, 1832, 1920, 2241.
- To visit Soldier's Home, report of, p. 1701.
- To wait upon the Governor, p. 17.

COMMITTEES, SPECIAL—

- Appointed to read and revise new Code, p. 2370, 2372, 2377.
- Appointed to prepare general municipal bill, p. 2370, 2372.
- Appointed to investigate fertilizer trust, p. 2371, 2372, 2810.
- Report of, as to salaries of officers of State, p. 1264.
- To investigate charges against Ala. Insane Hospital, report of, p. 3589.
- To read and revise new Code, H. 443, p. 614, 1573; Do. S. 210, p. 1053, 1153, 1236, 1302.

COMMUNICATIONS—

- Ala. Div. U. D. C., thanking House for appropriation to Soldiers' Home, p. 2313.
- From Alabama Press Association, p. 3830.

CONCEALED WEAPONS—(See *Weapons*.)

CONECUH COUNTY—

- Authorize commissioners to divide, into road precincts, H. 846, p. 1777, 1855, 2009, 2277, 2300.
- Fix compensation of sheriff and clerk of circuit court, H. 946, p. 2449, 2769; Do. S. 418, p. 3328, 3550, 3737, 3828.
- Provide for payment of witnesses in criminal cases, H. 948, p. 2451, 2769, 2981, 3413.
- Regulate fees of sheriff in county court, H. 949, p. 2450, 2769, 3154, 3416.

CONFEDERATE SOLDIERS AND SAILORS—(See *Relief*.)

- Additional relief of, H. 202, p. 259, 1656, 1823, 1919, 2305, 2316; Do. H. 341, p. 381, 2060; Do. S. 122, p. 1948, 2223.
- Appropriation for marking and covering for graves of, H. 326, p. 369.
- Change the name of the Home of, H. 509, p. 673, 1563.
- Establish home for indigent, amended, H. 146, p. 224, 1151, 742, 743, 773; Do. H. 937, p. 2444, 2786, 4025, 4201, 4230.

CONFEDERATE SOLDIERS AND SAILORS—Continued.

- Increase in pensions to, H. 346, p. 383, 2060.
- Over 90 years old, to receive pension of First-class, H. 923, p. 2425, 2787, 3129, 3413, 3943, 4038.
- Pension all worthy, H. 292, p. 353, 2061.
- Prescribe rules of evidence upon application of, H. 1391, p. 3656, 3886, 3999, 4200, 4230.
- Provide pensions for servants of, H. 1161, p. 2715, 3225.
- Provide an exemption from taxation for benefit of, H. 63, p. 80, 386, 740, 742, 743, 773.
- Provide artificial leg for, H. 219, p. 270, 2061; Do. H. 967, p. 2469, 3224.
- Provide for payment of, H. 27, p. 60, 2059.
- Relief of needy, act amended, H. 58, p. 79, 1754, 2104; Do. H. 200, p. 253, 2061; Do. H. 201, p. 258, 2061; Do. H. 317, p. 367, 3558; Do. H. 319, p. 367, 3558; Do. H. 342, p. 381, 2060; Do. H. 529, p. 785, 2060; Do. H. 560, p. 813; Do. S. 123, p. 2080, 2223, 4176, 4211; Do. H. 1108, p. 2674, 2862, 3441; Do. H. 1334, p. 3226, 3765.
- Relief of indigent widows, H. 1125, p. 2701, 3215.
- To make census of, H. 1206, p. 2752, 2872, 3441, 4121, 4234.

CONFESSIONS—

- As to persons charged with criminal offense, H. 5, p. 57, 612.

CONSTITUTION—

- Amend Secs. 46 and 48, of Art. 4 of, H. 1243, p. 2900, 3220.
- Amendments to, pertaining to education, H. 1281, p. 2924, 3555, 4003.
- Amendment to Sec. 93, Art. IV, as to convict fund, S. 551, p. 4027, 4094, 4196, 4228.
- Amendment to Sec. 178, Art. 8, as to Nov. election, H. 81, p. 177, 612.
- Amendment to Sec. 194, Art. 8, as to Nov. election, H. 82, p. 177, 612; Do. 251, p. 292, 421.
- Submit to electors, amendment of Sec. 194, H. 251, p. 292, 421.
- Submit to electors, amendment of Secs. 46 and 48, Art. 4, H. 505, p. 670, 1572; Do. as to biennial session, S. 131, p. 1119, 1428, 4117, 4186.
- Proposed amendment to Sec. 194, H. 942, p. 2448, 2856, 3903.
- Proposed amendment to Sec. 93, as to interest on funds, deposited in depositories, H. 1329, p. 3084, 3555, 3802.
- Providing for formation of new county, H. 936, p. 2444, 2856, 2885, 3794, 4146, 4236.

CONSTABLES—(See *Justices of the Peace*.)

CONTRACTS—

- Further regulate dealing in futures, H. 103, p. 193; Do. S. 175, 1101, 1211, 2171, 2309, 2360, 2365, 2370, 2450.
- Prohibit sale and future delivery of cotton, etc., H. 43, p. 62, 566; H. 2, p. 56.
- Prohibit one party to, etc., without personal service to other party to confess judgment, etc., H. 621, p. 1014, 1147.
- Rendered non-enforceable, when made in foreign State, H. 296, p. 354, 549.
- To declare illegal and void certain, H. 1175, p. 2728, 2880.

CONVICTS—

- Payment out of, fund for certain items of costs in felony cases, amended, H. 651, p. 1102, 1436; Do. H. 444, p. 614, 1440; Do. repeal, H. 171, p. 243, 1031,
- Portion of earnings of, to be expended for support of families of, H. 1027, p. 4532, 2778.
- Provide for disbursement of revenue derived from, H. 1109, p. 2674, 3068.
- Revenue derived from, be appropriated to roads and highways, H. 260, p. 293, 1435.
- Require President of Board to give bond, H. 573, p. 891, 915, 3997.
- Regulate the proceeds of the hire of, repeal act, H. 123, p. 204, 880.

COOPER, WM. H.—

- Bills by: H. 65 to 68, p. 80-81; 80, p. 176; 274-5-6-7, p. 332; 278, p. 334; 279, p. 335; 450, p. 619; 451, p. 620; 452, p. 622; 715, p. 1310; 849, p. 1858; 850, p. 1865; 851, p. 1876; 1333, p. 3226; 1348, p. 3238.

COOSA COUNTY—

- Provide for holding term of circuit court at Goodwater, S. 247, p. 1200, 1434, 1522, 1740; Do. S. 402, p. 3261, 3555, 3733, 3798, 3920.

CORONER—

Prescribe qualifications for, H. 785, p. 1535, 2860.

Provide for inquest by, as to railroad wreck, H. 217, p. 269, 551.

CORPORATIONS—

Allow foreign, subject to fee or tax, to deduct from actual capital employed, H. 1077, p. 2584, 2785, 3270, 3424, 3674, 3714.

Confer right to acquire lands, to supply power produced by water, H. 780, p. 1535, 1753; Do. H. 805, p. 1555, 1929, 2156, 2305, 2337, 2361.

Confer upon foreign municipal, power to own property in this State for municipal water supply, H. 565, p. 814, 1030, 1500, 1569, 2960, 3114, 4045, 4110.

Further define, prevent and punish unlawful use of money of, S. 4, p. 545, 1028, 2352, 2359.

Further regulate the doing of business by foreign, S. 86, p. 1200, 1428, 2145, 2239.

Foreign, to pay annual franchise tax, H. 611, p. 955, 1472, 1787, 1919, 2232, 2269, 2346, 2360.

In possession of real estate, claiming adversely, to the owner of the legal title, etc., H. 653, p. 1102, 1573.

Limit powers and provide for organization of, amended, H. 253, p. 292, 421.

Limit powers of business, amended, H. 1132, p. 2702, 2858, 3620.

Organized and doing business in this State, to regulate, H. 378, p. 463, 1153, 3528, 3618, 4064.

Public utility, operating in cities, to file annual report, H. 295, p. 353.

Refund payments made, under Secs. 1321-2 of Code, by foreign, H. 1352, p. 3239.

Required to furnish list to road overseers, H. 12, p. 58, 579.

To regulate the jurisdiction of suits against foreign, H. 300, p. 354, 738, 3614.

COTTON—

Establish bureau to collect, and publish statistics, H. 1200, p. 2749, 2866, 4036; Do. S. 565, p. 4065, 4094, 4217, 4221, 4228.

Regulate the ginning of, for toll, H. 113, p. 196, 549, 2955, 4159, 4200.

COTTON MILLS—

- Further promote and secure the erection of, H. 447, p. 615, 918.
- Owens of, required to erect school buildings, etc., H. 275, p. 332.
- Prohibited from working in, for more than 10 hours, H. 592, p. 933, 1098, 2619, 3568.
- Provide for assessment of, H. 790, p. 1542, 1760.
- Provide for assessment and collection of taxes, H. 1024, p. 2532, 2784, 2886.

COTTON GINS—

- Provide for collection, etc., of statistics of, H. 554, p. 810; S. 230, p. 1409, 1928, 2167.
- Required to tag all bales, H. 242, p. 291, 551.

COTTON SEED MEAL—

- Prohibit sale of adulterated, as fertilizer, H. 107, p. 195, 597, 1053, 1176, 2080, 2175; Do. S. 589, p. 3946, 4030.

COUNSEL—

- Regulate appointment of, in capital cases, H. 175, p. 246, 612.

COUNTIES—

- Create a board of tax commissioners for, H. 276, p. 332, 613.
- Create the office of county inspector, etc., H. 450, p. 619.
- Construction and maintenance of public roads and bridges, amend act, H. 642, p. 1045.
- Elections for the establishment of separate stock districts, amend act, H. 172, p. 243; Do. H. 747, p. 1427; Do. H. 1185, p. 2737.
- Election for changing county seats in, amend act, to provide for, H. 740, p. 1416, 1758.
- Elections may be held in, as to whether municipalities may sell liquor, S. 188, p. 1177, 1755, 2193, 2343.
- Extend the terms of collectors, assessors, coroners and treasurers of, H. 1212, p. 2754, 3557.
- Fix the compensation of the treasurer of, H. 1264, p. 2906, 3063.
- Prescribe the qualifications and duties of Supt. of public schools, H. 837, p. 1770.

COUNTIES—*Continued.*

Proceeds of hire of convicts, repeal act, to regulate, H. 123, p. 204.

Provide for payment of costs of construction, when boundary lines are changed, H. 77, p. 169.

Provide for publication of proceedings of commissioners, H. 211, p. 262.

Provide for removing prisoners, H. 1313, p. 3072, 3217.

Provide for settlement of any indebtedness of, H. 995, p. 2495, 2788.

Regulate and restrict sale of liquor in, H. 128, p. 210; Do. 177, p. 248.

Require the publication of findings of courts in, H. 210, p. 261.

Require probate judge, sheriff, etc., to deliver to successor all books, etc., H. 649, p. 1101, 1430.

Supt. of education of, to file list of trustees, H. 445, p. 614, 738.

To increase the criminal jurisdiction of justices of the peace in certain, repeal act, H. 1210, p. 2753.

COUNTY COMMISSIONERS—(See *Board of Revenue.*)

COURTS—

Allow clerks and sheriffs to collect costs in certain cases, H. 886, p. 2384, 270.

Amend section 5001, as to organization of grand jury at adjourned term, H. 192, p. 257.

Further regulate the manner of instructing juries, H. 471, p. 608, 1572.

Providing for exclusion of persons from, in certain cases, H. 55, p. 79, 548, 2845.

Regulate situs of debt, for the purpose of garnishment, H. 297, p. 354, 3556.

Regulate salaries of clerks of, H. 121, p. 203.

Regulate the practice in, H. 28, p. 60, 1753, 2382.

Require the publication of findings of, H. 210, p. 261, 918.

To make uniform the time within which bills of exceptions may be presented and signed, H. 344, p. 381, 914.

COUNTY SUPERINTENDENTS OF EDUCATION—(See *Counties.*)

COURTS, CIRCUIT—

Fix ex-officio fees of clerks of, H. 273, p. 332, 1030, 2247, 3425, 4041, 4107.

Fix time and place of holding, in twelfth judicial, H. 18, p. 59, 417, 1228, 1289, 1575, 1585; Do. S. 40, p. 706, 1147.

Fifth judicial, fix time and places in holding, S. 577, p. 3831, 3887, 4166, 4202, 4227.

Fourteenth judicial, to create, S. 231, p. 1066, 1154, 1226, 1233, 1260.

Fifteenth judicial, to create, S. 48, p. 1404, 1475, 1836, 1888, 1964, 2085, 2187.

Fourteenth judicial, fix time of holding court in, S. 484, p. 3003, 3069, 3496, 3590.

Provide for appointment of official court reporters, H. 229, p. 275, 1095, 3595, 3619.

Provide for official stenographic reporters, H. 637, p. 1041.

Provide for payment of expenses of judges, H. 17, p. 59, 612.

Tenth judicial, create an additional judge of, H. 483, p. 653, 779, 897, 986, 2178, 2196.

Thirteenth judicial, provide for short hand reporter, H. 1032, p. 2537, 2777, 3039, 3113, 3781, 3807.

Third judicial, fix time of holding court in, S. 500, p. 3090, 3219, 3438, 3575.

Sixteenth judicial, to create, H. 1090, p. 2654, 3219, 3484, 3618, 4149, 4200.

Seventh judicial, amend act, as to time and place of holding court, H. 1101, p. 2663, 2858, 3151, 3424.

To employ a deputy, authorize clerks, on approval of judge, H. 1265, p. 2907, 3064.

To provide for official stenographer for second judicial, H. 1390, p. 3561, 3648, 3855, 4040, 4111.

COURTS, CHANCERY—

Fix time and places of holding, in Northeastern Div., H. 1231, p. 2889; Do. S. 552, p. 3873, 4095, 4096, 4157, 4222, 4249, 4252.

Provide for payment of expenses of chancellors of, H. 17, p. 59.

COURTS, SUPREME—(See *Supreme Court*.)

COVINGTON COUNTY—

- Create an inferior court of record for , H. 455, p. 629, 1027, 1248, 1518, 1623, 1743, 1966, 2079.
- Establish a dispensary for Andalusia, H. 1315, p. 3073, 3222, 3486, 3618, 3880, 3895.
- Establish a dispensary for Florala, H. 1362, p. 3242, 3383, 3629, 3674, 3952, 4200.
- Prevent stock from running at large in, H. 1155, p. 2712, 2874, 3503, 3592, 3880, 3894.
- Prevent the sale of liquor in precinct 9, S. 414, p. 3204, 3222, 3512, 3683.
- Prevent the sale of liquor in certain localities in Sanford, S. 413, p. 3203, 3222, 3738, 3828.
- Prohibit the sale of liquor in River Falls, H. 95, p. 186, 598, 760, 890, 1293, 1303.

CRANFORD, J. H.—

- Bills by: H. 268, p. 305; 346, p. 383; 440, p. 565; 678, p. 1161; 1030, p. 2533; 1031, p. 2536; 1201, p. 2749; 1225, p. 2766; 1288, p. 2926; 1305, p. 2939; 1327, p. 3081.

CRENSHAW COUNTY—

- Commissioners to pay for advertising notice and substance of local bills introduced, H. 1234, p. 2890, 3556, 3744, 3791, 4041, 4106.
- For better working of public roads, amend act, H. 286, p. 345, 579, 1383, 1389, 1644, 1705.
- Prohibit the sale of liquor in, H. 360, p. 429, 610, 2630, 2795, 4149, 4199.
- Prohibit the sale of liquor in certain places, H. 1105, p. 2671, 2867, 3133, 3413, 3875, 3895; Do. H. 1341, p. 3230, 3383, 3738, 3791, 4041, 4106; Do. near Powell school house, H. 1106, p. 2673, 2867, 3147, 3408, 4021, 4072.
- To constitute board of jury commissioners, repeal act, H. 912, p. 2406, 2775, 2982, 3341, 3443.
- To refund money to E. T. Bedsole, H. 1202, p. 2751, 3558.
- To repeal act, to establish a dispensary at Searight, H. 287, p. 348, 610, 761, 889, 1575, 1584.

CRIMINAL, BILLS WITH PENALTIES—

Cheating and swindling, to provide punishment for, H. 259, p. 293, 1099.

Committing certain crimes, provide for arrest of person, H. 93, p. 185, 608, 3683.

Define and punish certain misdemeanors, H. 416, p. 517, 737.

Define and punish attempts at rape, H. 926, p. 2432, 2776.

Defining the crime of burglary with explosives, H. 1176, p. 2728, 2862.

Misdemeanor to drive more than six cattle, unmuzzled, along the public highways, H. 351, p. 426, 600.

Misdemeanor to sell any lot in town governed by Chap. 109, Art. 2, of Code, H. 605, p. 952, 1574.

Prescribe punishment for assaults with intent to ravish, H. 608, p. 954, 1563.

Prohibit shooting through dwelling houses, H. 90, p. 185.

Punish any person who aids an unlawful sale of liquor, H. 580, p. 893, 1432.

Rape and unlawful carnal knowledge of female, H. 226, p. 273, 918, 2188.

Unlawful for white man and negro woman to cohabit, H. 911, p. 2406, 2792.

CRUM, D. F.—

Bills by: H. 519, p. 747; 1255, p. 2902.

CULLMAN COUNTY—

Confer additional jurisdiction upon county court, repeal act, H. 1373, p. 3387.

Establish new charter for Cullman, re-enact and revive sec. 13 of act, H. 459, p. 632, 783.

Fix compensation for recording, etc., repeal act, as to, H. 1335, p. 3226.

For maintenance of public roads and bridges, H. 913, p. 2407, 2782, 2983, 3414, 3773, 3843.

Payment by, of one-half cost of construction of Albritton bridge, H. 658, p. 1110, 1150, 1513, 1704, 1921, 1960.

Provide for payment of funds in hands of circuit clerk of, H. 96, p. 187, 308, 900, 986, 1581, 1586, 1818, 2176.

Redistrict public schools, repeal, H. 97, p. 188.

CULLMAN COUNTY—*Continued.*

- Regulate fine and forfeiture fund, repeal act, H. 98, p. 189, 308,, 762, 909, 1644, 1704.
- Requiring commissioners to make appropriation out of general fund, repeal act, H. 99, p. 191, 309, 750, 774, 1581, 1586.

DALE COUNTY—

- Establish high school for, at Ozark, H. 916, p. 2418, 3069, 3440, 3628, 4170, 4235; Do. H. 1248, p. 2901, 3225.
- Fines and forfeitures payable only in lawful money, repeal act, H. 460, p. 633, 779, 1901, 1963, 2177, 2260.
- Prohibit the sale of liquor in , H. 917, p. 2419, 2780, 2984, 3281, 3779, 3786.

DALLAS COUNTY—

- Alter and fix boundaries of Selma, S. 54, p. 411, 579, 756, 869.
- Commissioners to buy tools, etc., for, amended, H. 106, p. 193, 578, 1141, 1290, 1643, 1848.
- Create the Selma Water Works Commission, S. 523, p. 3301, 3381, 3630, 3706.
- Create the office of stenographer for, S. 458, p. 3321, 3381, 3642, 3706.
- Delinquent children, define who are, repeal act as to, S. 448, p. 3323.
- Deputy solicitor, office created, S. 53, p. 413, 576, 714, 770.
- Fix compensation for ex-officio services of sheriff of, S. 447, p. 3873, 4030.
- Fix salary of judge of city court of Selma, S. 445, p. 2988, 3064, 3344, 3445.
- Further regulate the financial affairs of, S. 136, p. 1205, 1309, 2117, 2186.
- Legalize the shooting of doves on baited fields, H. 1071, p. 2582, 2882.
- Legalize the shooting of doves between Aug. 1st and March 1st, H. 1072, p. 2583, 2882.
- Prohibit the sale of liquor near Sister Springs church, S. 525, p. 3160, 3223, 3506, 3683; Do. Pleasant Hill church, S. 524, p. 3161, 3223, 3979, 4053.

DALLAS COUNTY—Continued.

Refund to Selma, mortgage tax, S. 450, p. 3322, 3381, 3740, 3828.

To pass a law to require the Governor to send State examiner, to examine accounts of cities and towns in, S. 449, p. 3103, 3220, 3533, 3683.

DAMS—

Grant to persons, etc., power to construct, in navigable rivers for water power purposes, H. 844, p. 1776, 2051.

Exclusive use of stored water granted to those constructing for power, H. 845, p. 1776, 2056, 2161, 2304, 2316.

DAVIS, JEFFERSON—

Create a commission to erect statute of, S. 574, p. 3945, 4164, 4246, 4251, 4252.

DAYS OF SESSION—

Day.	Page.	Days.	Page.
1 -----	3-6	26 -----	1386-1443
2 -----	6-51	27 -----	1443-1524
3 -----	51-107	28 -----	1524-1634
4 -----	107-252	29 -----	1634-1734
5 -----	252-284	30 -----	1734-1844
6 -----	284-314	31 -----	1844-1915
7 -----	314-321	32 -----	1915-2035
8 -----	321-391	33 -----	2035-2120
9 -----	391-404	34 -----	2120-2190
10 -----	404-537	35 -----	2190-2293
11 -----	537-569	36 -----	2293-2310
12 -----	569-591	37 -----	2310-2373
13 -----	591-604	38 -----	2374-2643
14 -----	604-728	39 -----	2644-2849
15 -----	728-770	40 -----	2850-3059
16 -----	770-858	41 -----	3060-3213
17 -----	858-907	42 -----	3213-3375
18 -----	907-975	43 -----	3376-3545
19 -----	975-1022	44 -----	3545-3643
20 -----	1023-1090	45 -----	3644-3762
21 -----	1090-1142	46 -----	3763-3882
22 -----	1142-1193	47 -----	3883-3992
23 -----	1193-1249	48 -----	3992-4087
24 -----	1250-1300	49 -----	4087-4171
25 -----	1300-1385	50 -----	4171

DEEDS—

- Correct and perfect records of, destroyed or stolen, H. 355, p. 427, 1209.
- Filing and recording of certain, H. 252, p. 292, 1095.
- Fixing fees for recording, H. 208, p. 261, 918.
- Manner in which assignments and transfers, or liens shall be executed, H. 650, p. 1101, 1173.
- Make recital of facts, *prima facie* evidence, H. 184, p. 249, 608.
- Prevent mortgagee from requiring mortgagor to pay taxes, H. 516, p. 685, 881, 913, 1025, 1511, 1588, 1679, 1742.
- Prescribe effect of non-payment of taxes on; conditional sale, H. 881, p. 2320, 2792.
- Prohibit owner of mortgage, etc., from collecting by threats of arrest, H. 762, p. 1464, 1566.
- Registration of, to legalize and make effective, H. 629, p. 1034, 1209; S. 295, p. 3283, 3549.
- Registration of, and make self proving, H. 1287, p. 2926, 3067, 4056, 4202, 4237.

DEER—(See *Game*.)**DEPOSITORIES—**

- For safe keeping of surplus of State, H. 167, p. 243, 878, 1347, 1390, 1590, 1818, 1959, 2265.

DISPENSARIES—

- Prohibit the re-opening of, H. 1360, p. 3242, 3650, 3854.
- Provide for the examination of, H. 465, p. 637, 1431.

DOGS—

- Compel owners to confine to premises during certain months, H. 1348, p. 3238, 3558.

DOORKEEPER—

- Instructed to purchase annotated constitutions, p. 166.
- Instructed to purchase clock for House, p. 167.
- Provide for payment of expenses incurred by H. 811, p. 1502, 1657, 1824, 1920, 2176, 2259.
- To furnish members with Code, p. 50.

DOYLE, J. D. (Clarke.)

Bills by: H. 88, p. 182; 680, p. 1212; 1368, p. 3385.

DOYLE, W. B. (Marengo)—

Bills by: H. 144, p. 224; 145, p. 224; 432, p. 562; 453, p. 628;
862, p. 2064.

DRUGS—(See *Medicine*.)

DUDLEY, H. R.

Bills by: H. 565, p. 814; 1375, p. 3389.

Resolution by: p. 1197.

EDWARDS, PERRY—

Bills by: H. 59, 60, p. 79; 529, p. 785; 728, p. 1334; 1032, p.
2537.

EDUCATION—

Provide for compulsory, H. 142, p. 224, 529, 785, 782.

Provide for incorporation of, societies, H. 1029, p. 2533, 2388.

ELECTIONS—

Further regulate in cities, H. 490, p. 660.

Further contest of, H. 672, p. 1158, 2881.

Further regulate, H. 1320, p. 3078, 3553, 3812; Do. amended,
H. 1177, p. 2729, 3557; Do. H. 1258, p. 2904, 3557; Do.
H. 173, p. 244, 1031.

For establishment of separate stock districts, amended, H. 747,
p. 1427, 1567.

On question of changing county seats, amended, H. 1140, p.
2707, 3653; Do. S. 320, p. 1803, 1850, 1930, 2147, 2187.

Regulate the use of money, etc., in, H. 37, p. 61, 2880; H. 299,
p. 354, 2880.

Regulate the printing of tickets in general and special, H. 522,
p. 750, 1028.

Regulate primary, H. 1302, p. 2937, 3553, 3803, 3900; Do.
amended, H. 1086, p. 2653, 3557.

Result of election of Nov. 6, 1906, p. 94 to 105

Speaker pro tempore, p. 1916.

With reference to stock districts, H. 1153, p. 2712, 3557.

ELMORE COUNTY—

Authorize cities and towns to establish dispensaries in, H. 428, p. 554, 598, 726, 774, 1073, 1144; Do. H. 920, p. 2420, 2781, 3009, 3281, 3775, 3787.

As to trials of misdemeanors in, repeal act, H. 206, p. 260, 309, 727, 731, 1293, 1303.

Cities and towns in precinct 3, to sell liquor, H. 746, p. 1321, 1473, 1621, 1742, 1966.

Incorporate Tallassee school district, amended, H. 464, p. 635, 778, 970, 1071, 1581, 1584.

Prevent stock from running at large in certain portions of, H. 1184, p. 2737, 2862, 3188, 3414, 4017, 4105.

EMBALMING—

Act to establish State board of, to amend, H. 1318, p. 3077, 3654.

EPILEPTICS—

To establish a colony for, S. 61, p. 3435, 3651, 4140, 4156, 4228.

ELROD, WM. H.—

Bills by: H. 112, p. 176; 113, p. 196; 827, p. 1762.

ESCAMBIA COUNTY—

Alter boundaries of Pollard, H. 1053, p. 2562, 2787, 3011, 3458, 3773, 3788.

Deputy solicitor of, to fix fees and commissions of, H. 1050, p. 2559, 2858, 3166, 3412, 3876, 3895.

Detach a portion of Conecuh and add to, H. 731, p. 1336, 1571, 1849, 1963, 2180, 2260.

Maintaining public roads, repeal and amend secs. of act, H. 1082, p. 2589, 2783, 3047, 3409, 3777, 3789.

Payment for postage used by certain officers of, H. 1051, p. 2561, 2779, 3019, 3412, 3875, 3891.

Regulate fine and forfeiture fund of, H. 921, p. 2422, 2769, 2985, 3283, 3661, 3714.

ETOWAH COUNTY—

Appropriate all moneys received by Attalla, as saloon license, to school purposes, S. 72, p. 706, 2772, 3013, 3251.

Change the boundary line between Calhoun and, H. 765, p. 1464, 1658, 1900, 1963; Do. H. 1044, p. 2551, 2779, 3012, 3408, 3780, 3788, 4126, 4234.

Create the office of asso. judge of city court of Gadsden, H. 363, p. 432, 574, 764, 1645, 1706; Do. amended, S. 485, p. 3256, 3548, 3848, 3921.

Declare the powers and jurisdiction of city court of Gadsden, amended, H. 364, p. 433, 574, 764, 909, 1577, 1585; Do. H. 620, p. 1013, 1095, 1183, 1645, 1705.

Increase the salary of solicitor of, S. 488, p. 3205, 3766, 3961, 4015, 4054.

Prohibit the sale of liuor in, H. 114, p. 197, 307, 715, 730, 1956, 1987, 2184, 2260. --

Prohibit sale of liquor near Sardes' Baptist church, S. 121, p. 694, 739.

Prohibit the sale of liquor outside of cities and towns, S. 107, p. 1060, 2791.

FACTORIES—

Prohibit the employment of persons in, for more than 10 hours, H. 8, p. 57, 420, 825.

Promote the building of, H. 1047, p. 2555.

Promote and secure the erection of, for manufacturing cement, H. 1290, p. 2927, 3068, 3285, 3423.

Regulate the employment of children in, H. 42, p. 62; Do. H. 558, p. 813, 1658, 2853, 2887, 3426, 3460, 4015, 4111, 4229, 4251.

Required to provide buildings for schools, H. 141, p. 224.

FALSE REPRESENTATIONS—

Prevent criminal prosecutions for obtaining money, etc., under, H. 369, p. 444, 778, 1366.

FAYETTE COUNTY.

Establish a dispensary in Berry, S. 558, p. 3835, 3888.

Prohibit the sale of liquor in, H. 115, p. 198, 387, 1082, 1177, 1711, 1847.

Provide for establishment of a dispensary in, H. 366, p. 434, 599, 1625, 1742, 4017, 4112.

FAYETTE COUNTY—*Continued.*

Provide for election of four commissioners, H. 538, p. 791, 988, 1626, 1742, 2180, 2259.

Spirituuous liquor, to regulate sale of, H. 290, p. 349, 598, 843, 911, 1645, 1847.

Trials of misdemeanors in, repeal act, as to, S. 356, p. 3200.

FEEDING STUFFS—

Relating to sale of concentrated commercial, H. 45, p. 63, 991.

Regulate concentrated commercial, H. 274, p. 332, 1030.

FEES—

To be paid for the arrest of fugitives from justice, H. 1389, p. 3561, 3655.

FELONIES—

Allow persons convicted of, to give bond, pending appeal, H. 604, p. 952, 1573.

Provide for paying persons who are convicted of, when on appeal cause is reversed, etc., S. 108, p. 1058, 1436, 4140, 4112.

Regulate the practice in the trial of cases of, H. 285, p. 345, 1099.

Regulate the manner of procedure in the trial of certain, H. 327, p. 369, 2879.

To give the State the right of exemption and appeal in cases of, H. 559, p. 813, 1573.

FERTILIZERS—

Regulate the registration, etc., of, H. 1208, p. 2752, 2866; Do. H. 518, p. 747, 991; Do. amended, S. 546, p. 4043, 4094, 4181, 4202, 4227; Do. H. 108, p. 195, 989, 1261, 2080, 2145; Do. H. 116, p. 203, 1439; Do. H. 335, p. 371, 1439

Set aside moneys from sale of tags, for holding farmers' institutes, H. 1172, p. 2728, 3653.

FIRE ARMS—(See *Weapons.*)

To regulate the possession and carrying of, H. 104, p. 193, 1757.

FISH—(See *Game*.)

Further protect and promote propagation, etc., H. 1247, p. 2901, 3225.

Relating to the preservation, etc., of, H. 110, p. 196, 311, 389, 544, 583, 586, 593, 1409, 1410; Do. amended, H. 1087, p. 2653, 2882; Do. H. 1253, p. 2902, 3225; Do. H. 1394, p. 3656.

Protect private interests in ponds, etc., containing, S. 486, p. 3945, 3994, 4185, 4212.

FLOUR—

Weights under which shall be packed, H. 67, p. 80, 551.

To protect purchasers from short weights, H. 73, p. 92, 307.

FOOD—

Prevent manufacture and sale of adulterated, H. 154, p. 226.

Prevent adulteration of, for man or beast, H. 279, p. 335.

Regulate the sale of, H. 46, p. 63, 1030, 2951, 3595, 3646, 3930, 4031.

FORESTS—

To prevent the burning of, H. 1225, p. 2766, 2882.

FOSTER, J. M.—

Bills by: H. 178, 179, 180, p. 248; 370, p. 445; 371, p. 447; 372-3, p. 447; 374, p. 453; 375, p. 459; 376, p. 460; 439, p. 565; 578, p. 893; 763, p. 1464; 881-2, p. 2320; 883, p. 2321; 884, p. 2322; 1025-617, p. 2532; 1028-9, p. 2533; 1182, p. 2763; 1287, p. 2926; 135-4-5, p. 3239; 1359, p. 3242.

Resolutions by: 50, 1146, 3694, 4199.

FRANCHISES—(See *Taxes and Taxation*.)

Legalize sales of, by electric, water power and street railway companies, H. 903, p. 2403, 2775, 4033, 4230, 4249.

Make subject to taxation, H. 741, p. 1416, 1571, 1796, 2038, 2240, 2302.

FRANKLIN COUNTY—

Create the city court of, Red Bay in, H. 1327, p. 2891, 3224.

Prohibit the sale of liquor in, H. 748, p. 1427, 1473, 1629, 1742, 2151, 2176.

Provide for better working of public roads in, H. 1112, p. 2675, 2866, 3159, 3414, 3777, 3842.

FRANKLIN COUNTY—*Continued.*

Russellville public schools, to make board of education elective,
amended, H. 539, p. 1155.

Take from Newberg district, Sec. 1 and north 1-2, Sec. 12,
township 6, range 10, etc., H. 466, p. 977, 1155.

Tax assessor and collector to visit voting places, etc., H. 367, p.
443, 609, 1139, 1207, 1644, 1705.

FRATERNITIES, SECRET—

For the protection of, H. 394, p. 475, 576.

Provide for incorporation, H. 1357, p. 3240, 3382.

To define and regulate, H. 816, p. 1652, 2877.

FREE PASSES—

Prohibit the unlawful giving, issuing, etc., S. 7, p. 734, 779,
991, 998, 1199; Do. amended, H. 1385, p. 3560; Do. S.
604, p. 3827., 4095.

FULLER, JEROME T.—

Bills by: H. 74, p. 92; 75, p. 93; 76, p. 168; 272, p. 332; 532,
p. 787; 533, p. 788; 665, p. 1114; 787, p. 1542; 825, p.
1654; 826, p. 1655; 889, p. 2386; 890, p. 2388; 891, p.
2389; 892, p. 2390; 893, p. 2392; 1192, p. 2742; 1211, p.
2754; 1342-3, p. 3232.

Resolutions by: p. 985, 1412, 1447, 1927, 3718, 3897.

FUTURE CONTRACTS—(See *Contracts.*)

GAME LAWS—

Propagation, preservation and protection of, H. 111, p. 196, 311,
313, 389, 529, 541, 570, 982, 1032, 1340, 1346, 1403' 1445;
Do. amended, H. 1073, p. 2584, 2882; Do. H. 1195, p.
2744, 2882.

Prohibit hunting, shooting at, etc., of deer, H. 1111, p. 2675,
2882.

Prohibit killing, with gun that can be loaded with more than
2 shell, H. 520, p. 747, 1574.

GENEVA COUNTY—

Provide for working public roads of, S. 632, p. 3948, 3994, 4160, 4227.

Provide for holding one week of each term of circuit court at Hartford, H. 1113, p. 2676, 2861, 3178.

Provide for holding part of term of circuit court at Hartford, H. 1114, p. 2679, 2861, 3164.

Provide for election to remove county seat to Hartford, H. 1116, p. 2685, 2862, 3211, 3422.

Regulate dispensaries of, H. 1238, p. 2892, 3222, 3518, 3673, 4020, 4106.

Require judge of probate to keep office at Hartford, H. 1115, p. 2682, 2862, 3210.

GIRLS INDUSTRIAL SCHOOL—(See *Schools and Colleges*.)

Provide for working of coal lands of, H. 31, p. 60.

GLOVER, JOHN T.—

Bills by: H. 132, p. 212; 133, p. 213; 215, p. 365; 294-5, p. 353; 296-7-8-9, 300-1, p. 354; 302-3-4, p. 356; H. 381-2, p. 463; 383, p. 465; 384, p. 467; 385, p. 468; 386, p. 469; 387, p. 470; 388, p. 471; 479, p. 643; 480, p. 643; 481, p. 644; 482, p. 651; 483, p. 653; 540, p. 793; 750, p. 1428; 792, p. 1543; 793, p. 1544; 794, p. 1545; 831, p. 1766; 832, p. 1767; 864-5, p. 2066; 932, p. 2440; 933, p. 2441; 934, p. 2442; 935, p. 2443; 1069, p. 2581; 1070, p. 2582; 1244, p. 2900; 1245, p. 2901; 1294, p. 2930; 1329, p. 3084.

Resolutions by: p. 1528, 3062, 3647, 3694, 4115.

GOODS—(See *Merchandise*.)

GOODWYN, R. T.—

Bills by: H. 162, p. 240; 229, p. 275; 254-5, p. 292; 324-5-6-7-8-9, p. 369; 402, p. 491; 403-4, p. 492; 405, p. 493; 509, p. 673; 555-6, p. 810; 778, p. 1534; 986, p. 2488; 1269, p. 2909; 1270, p. 2910; 1313, p. 3072; 1357, p. 3240.

Resolutions by: p. 168, 606, 981, 1093, 1146, 1195, 1854, 1892, 2383, 2886, 3694, 3695, 3822.

GORDON, GEN'L JOHN B.—

To purchase a life size picture, H. 1257, p. 2904, 3225.

GOVERNOR—

Authorized to appoint one of the judges of city court of Birmingham, S. 510, p. 3306, 3887, 4074, 4169, 4192, 4220, 4228.

Arrangements for inauguration of, p. 18.

Communication from, p. 4253.

Empowered to suspend such portion of general tax as may not be needed, H. 1239, p. 2896, 3068, 3291.

Reimbursement contingent fund of, S. 603, p. 3660, 3765, 4134, 4194.

GOVERNOR'S MESSAGES—

Page 19-50, 125, 2591.

Announcing death of Senator Pettus, p. 3819.

Announcing death of Senator Morgan, p. 2591.

Conveying certificates of election, p. 93.

Funeral expenses of Wm. L. Martin, as to, p. 2954.

In regard to the proposed certification of State laws, p. 53.

Quadrennial, p. 19 to 50.

Returning H. 70, p. 1291. --

" H. 111, with amendments, p. 1294.

" H. 24, with amendments, p. 1985.

" H. 167, with amendments, p. 2087.

" H. 136, with amendments, p. 2089.

" H. 233, with amendments, p. 2248.

" H. 323, with amendments, p. 2250.

" H. 371, with amendments, p. 2251.

" H. 671, with amendments, p. 2253.

" H. 179, with amendments, p. 2272.

" H. 610, for correct enrollment, p. 2371.

" H. 810, p. 3601.

" H. 935, p. 3693.

" H. 960, with amendments, p. 3663.

" H. 1044, with amendments, p. 4069.

" H. 133, with amendments, p. 4115.

" H. 1165, with amendments, p. 4131.

" H. 929, with amendments, p. 4204.

" H. 558, with amendments, p. 4206.

" S. 384, with amendments, p. 4207.

" H. 1339, with amendments, p. 4214.

" H. 1249, with amendments, p. 4224.

" H. 1370, with amendments, p. 4245.

GOVERNOR'S MESSAGE—*Continued.*

Transmitting report of Capitol Commission, p. 2976.

Transporting invitation from citizens of Selma to the Legislature to attend the funeral of General E. W. Pettus, p. 3819.

Tuskegee Normal and Industrial School, p. 2954.

GRAND LARCENY—

Sec. 5049 of Code amended, as to, H. 47, p. 63.

GUNTER, GASTON—

Bills by: H. 163-4, p. 240; 330, p. 370; 401, p. 491; 508, p. 672; 511, p. 673; 770, p. 1468; 771, p. 1468; 1159, p. 2714; 1160, p. 2714; 1207, p. 2752; 1363, p. 3243; 1378, p. 3392.

Resolutions by: p. 18, 416, 1094, 1147, 2647, 3648.

HALE COUNTY—

Divide into four commissioners' districts, H. 924, p. 2425, 2769, 3018, 3408, 3780, 3807, 3947, 4038.

Establish normal school, for teachers, at Moundville, in. H. 863, p. 2065, 2223, 2367, 4170, 4200.

Provide for working public roads in, H. 925, p. 2427, 2769, 3019, 3113, 3776, 3790.

Re-arrange boundaries of Newberne, H. 828, p. 1763, 1930, 2290, 3108, 3120.

Regulate fine and forfeiture fund of, H. 829, p. 1765, 1930, 2290, 3108, 3120.

Require sheriff to procure list of licenses from U. S. Rev. Collector, H. 717, p. 1317, 1474, 1631, 1703, 2151, 2259.

HALEY, L. J., Jr.—

Bills by: H. 120, p. 210; 216, p. 268; 316, p. 367; 430, p. 560; 489, 490-1, p. 660; 492-3, p. 660; 541, p. 796; 542, p. 798; 543-4, p. 800; 576, p. 893; 581, p. 894; 583, p. 920; 584, p. 921; 585, p. 922; 586, p. 926; 587, p. 928; 588, p. 930; 643, p. 1046; 653, p. 1102; 664, p. 1114; 710, p. 1280; 711, p. 1281; 712, p. 1282; 751, p. 1448; 752, p. 1449; 777, p. 1530; 816, p. 1652; 834, p. 1769; 873, p. 2224; 950, p. 2452; 951, p. 2452; 952, p. 2454; 953-4, p. 2455; 955, p.

HALEY, L. J. Jr.—*Continued.*

2456; 956, p. 2459; 1064, p. 1573; 1065, p. 2575; 1066, p. 2576; 1133-4, p. 2703; 1135, p. 2704; 1136-7, p. 2705; 1189, p. 2739; 1203, p. 2752; 1204, p. 2752; 1205, p. 2752; 1217, p. 2758; 1218, p. 2760; 1219, p. 2760; 1316, p. 3074; 1323-4, p. 3081; 1369, p. 3385.

Resolutions by: p. 6, 594, 1446, 1927, 3897.

HARBOR MASTER—

Provide for election of, and their deputies, H. 981, p. 2484, 2876; Do. S. 478, p. 3320, 3550, 3744, 3828.

HEALTH AND QUARANTINE—(See *Public Health.*)

HENLEY, J. H. L.—

Bills by: H. 10, 11, 12, p. 57-8; 465, p. 636; 572, p. 823; 731, p. 1336; 921, p. 2422; 1050, p. 2559; 1051, p. 2561; 1052, p. 2562; 1053, p. 2562; 1082, p. 2589; 1110, p. 2674; 1193, p. 2742; 1235, p. 2891; 1338, p. 3230.

HOFFMAN, FRANCIS O.—

Bills by: 156, p. 226; 157, p. 231; 158, p. 233; 226, p. 273; 227, p. 273; 283, p. 338; 400, p. 491; 434, p. 564; 506, p. 671; 720, p. 1417; 743, p. 1418; 744, p. 1420; 789, p. 1542; 790, p. 1542; 967-8, p. 2469; 969, p. 2470; 970, p. 2472; 1008, p. 2504; 878, p. 2318; 1080, p. 2586-- 1266, p. 2907; 122, p. 3080.

Resolutions by: p. 287, 330, 416, 776, 839, 869, 2383, 2884, 3898, 4174.

HENRY COUNTY—

Abolish the dispensary at Headland, H. 1314, p. 3073, 3222, 3533, 3617, 4020, 4105.

Prohibit the sale of liquor in, S. 618, p. 3724, 3887; Do. H. 1376, p. 3389, 3650, 3865, 4040, 4107.

Provide for working the public roads in, H. 1377, p. 3390, 3548, 3745, 3791, 4041, 4112; Do. H. 806, p. 1556, 1657, 1903, 1964, 2177, 2299.

Prohibit sale of liquor near Union Hill Bap. church, repeal act, H. 618, p. 1007, 1432, 1630, 1742, 1955, 2077; Do. in sundry counties, as to, H. 754, p. 1452, 2057; Do. as to beat 16, H. 755, p. 1457, 2057.

HORTICULTURE—

Fruit growing, truck gardening, etc., amend act, to protect, H. 664, p. 1114, 1439.

HOTELS—

Provide for proper sanitary conditions, H. 2713, 4001.

HOUSTON COUNTY—

Appropriate 1-3 of proceeds of dispensaries to public schools, H. 616, p. 1002, 1148, 1622, 1703, 1922, 1960.

Authorize Dothan to establish a dispensary, H. 719, p. 1321, 1433; Do. S. 315, p. 1507, 1572, 1904, 2091.

Declare ownership of books, etc., of circuit court of Henry, at Dothan and Columbia, to be property of, H. 1119, p. 2695, 2862, 3134, 3409, 3772, 3841.

Establish board of revenue for, H. 810, p. 1560, 1656, 2623, 2808, 3253, 3273, 3709, 3807, 4235.

Establish inferior court of record for, H. 669, p. 1155, 1740.

Establishment of dispensaries in, provide for, H. 617, p. 1004, 1432, 1626, 1703, 1955, 2077.

For relief of dispensary of Gordon, H. 718, p. 1319, 1568, 1905, 1963, 2177, 2259.

Prohibit sale of liquor in certain localities, repeal act as to, H. 619, p. 1008, 1148, 2011, 2276, 2301; Do. H. 720, p. 1326, 1433, 2624, 2795.

Prohibit sale of liquor in, H. 1301, p. 2936, 3065, 3337, 3417, 3779, 3789; Do. S. 572, p. 3435, 3554.

Secs. 4593-5 of Code, repealed as to, H. 16, p. 58.

HUGHSTON, JNO. L.—

Bills by: H. 134, p. 216; 431, p. 562; 957, p. 2461; 958, p. 2461; 1140, p. 2707; 1249, p. 2901.

HUMAN BODIES—

To legalize the dissection of, H. 461, p. 634, 916, 2801.

HUNTING—(See *Game*.)**INEBRIATES—**

Provisions for. H. 32, p. 60, 1570, 2382, 3911.

INQUEST—(See *Coroner.*)

INSANE HOSPITALS—(See *Alabama Insane Hospitals.*)

INSTRUMENTS—(See *Deeds.*)

Define and regulate negotiable, H. 324, p. 369, 386, 608, 1479,
1600, 4170, 4201.

INSURANCE—

Authorizing the incorporation of industrial fire, H. 583, p. 920,
1153.

Further regulate, H. 1355, p. 3239.

Prohibit from including in fire policy the co-insurance clause,
etc., H. 567, p. 815, 1573.

Prohibit misrepresentations by Life companies, H. 1374, p. 3389,
3655.

Provide for payment of costs of collection, etc., H. 601, p. 951,
1573.

Regulate the placing of, in unauthorized companies, H. 1354,
p. 3289.

To enlarge laws of the State, H. 243, p. 291, 600, 827, 889,
2231, 2373.

INVITATIONS—

From Commercial Club of Birmingham, p. 256, 290.

From Commercial Club of Mobile, to attend Mardi Gras, p. 415,
540.

From Confederate organization of Montgomery, p. 316.

IMMIGRATION—

Establish board of, H. 330, p. 370, 989, 1593, 1934, 2181, 2258;
Do. repeal act, H. 1148, p. 2711, 2875; Do. H. 1180 p.
2735, 2861; Do. H. 1192, p. 2742.

JACKSON COUNTY—

Authorize Bridgeport to permit children outside limits to at-
tend public schools, H. 860, p. 2063, 2785, 3022, 3171,
3572, 3602.

Authorize Bridgepart to release manufactories from city taxes,
H. 861, p. 2064, 2873, 3168, 3412, 3882, 3889.

JACKSON COUNTY—*Continued.*

- Extend corporate limits of Jackson, H. 88, p. 182, 783.
- Prohibit sale of liquor in, H. 1121, p. 2698, 2869.
- Provide for construction of public roads, H. 927, p. 2482, 2782, 3021, 3172, 3572, 3658.
- Provide for sale of 16th Sec. school lands, H. 213, p. 262, 1031; H. 214, p. 264, 1031.

JAILS—(See *Almhouses.*)

JAMESTOWN EXPOSITION—

- Provide for the participation of State in, H. 668, p. 1115, 1435, 1884, 2270, 2298.

JEFFERSON COUNTY—

- Act to establish inferior courts in precincts 21 and 37, amended, H. ~~281~~, p. ~~463~~, 1655; Do. H. 133, p. 213, 1753, 2965, 3281, 3778, 3807, 4234; Do. H. 954, p. 2455, 2774.
- Act to provide an official stenographer, amended, H. 392, p. 473, 1029.
- Act to protect at expense of county, deeds, etc., amended, H. 480, p. 643, 3885.
- Act to establish separate school district at Oxmoor, to repeal, H. 1135, p. 2704, 2873, 3194, 3416, 3877, 3888.
- Authorize board of revenue to purchase fine and forfeiture fund, H. 126, p. 207, 1433; Do. amended, S. 303, p. 1942, 2054, 2285, 2344.
- Authorize transfer of any civil cause in circuit court and chancery court back to city court of Bessemer, H. 546, p. 802, 1434, 2177, 2358; Do. repeal act, H. 545, p. 801, 1433 1995, 2177, 2259.
- Authorize treasurer to pay asst. city attorney, H. 710, p. 1280, 1309.
- Authorize solicitor to employ stenographer, amended, H. 1217, p. 2758, 2875, 3172, 3423.

BESSEMER—

- Act to establish city court of, amended, H. 935, p. 2443, 3001, 3113, 3572, ~~3602~~, 3714.
- Alter boundary lines of, H. 938, p. 2444, 2875, 3169, 3417, 3952, 4039.

BESSEMER—Continued.

- Establish a board of police commissioners for, repeal act, H. 129, p. 210, 223, 2622, 2794, 3253, 3274.
- Establish the city court of, act amended, H. 430, p. 560, 1760; Do. H. 697, p. 1266, 1309; Do. S. 302, p. 1707, 1758, 1996, 2091; H. 1126, p. 2701, 2858, 3364, 3420, 3882, 3895.
- Establish charter for, amend act to amend, H. 721, p. 1328, 1568, 2024, 2076.

BIRMINGHAM—

- Act to establish separate school district in North, repeal, H. 934, p. 2442, 2785, 2968, 3283, 3778, 3788; Do. H. 1134, p. 2703, 2873.
- Act to regulate city court of, amended, H. 955, p. 2456, 2856, 3192, 3420, 3881, 3895; Do. H. 215, p. 265, 313.
- Amend act, to provide manner of selecting police force of, H. 132, p. 212, 579, 852, 987.
- Amend act, to establish an inferior court of criminal jurisdiction in, H. 751, p. 1448, 1655.
- Establish certain subway as part of 5th ave., etc., in, S. 288, p. 1719, 1758, 2024, 2091.
- Further regulate the city court of, H. 304, p. 356, 577, 2814; Do. H. 540, p. 793, 1029, 1187, 1289, 1737, 1848.
- Improving the county roads in corporate limits of, H. 482, p. 651, 1029.
- Provide for salaries of judges of city court of, H. 792, p. 1543, 1656, 1991, 2180, 2259.
- Provide for appointment of judges of city court of, H. 956, p. 2459, 2857, 3193, 3423; Do. S. 560, p. 3338, 3549, 3728, 3829.
- Re-arrange the boundary lines of, H. 586, p. 926; Do. H. 587, p. 928; Do. H. 929, p. 2436, 2875, 3349, 3459, 3832, 3890, 4217, 4238.
- Repeal act, to establish board of police commissioners for, H. 474, p. 638.
- Repeal act, to define duties of police commission of, H. 476, p. 640.
- Repeal act, to provide manner of electing police force in, H. 475, p. 641.

BIRMINGHAM—*Continued.*

- Salary of judge of police court of, to fix, H. 581, p. 894, 988, 2028, 2039, 2261, 2299.
- To vacate the dedication of certain streets in, H. 216, p. 286, 1611; Do. H. 832, p. 1767, 2856, 3174, 3410, 3777, 3785.
- To vacate and annul certain streets in, North, H. 752, p. 1449, 1568, 2620, 2808, 3253, 3273; Do. H. 932, p. 2440, 2770, 2964, 3341, 3443; Do. H. 933, p. 2441, p. 2770, 3024, 3416, 3880, 3891.
- Vacate and annul certain alleyways and streets in, S. 335, p. 1811, 2055, 2282, 2344; S. 491, p. 3206, 3550, 3749, 3829.
- Vacate the dedication of certain alleys and part of street in, S. 407, p. 2997, 3554, 3739, 3828; S. 334, p. 1813, 2055, 2264, 2344.
- Vacate the dedication of certain highways in, H. 1065, p. 2575, 2772, 2776, 2970, 3413.
- Chancellor of Northwestern Div. fix salary of, as to, H. 793, p. 1544, 1656, 2008, 2040, 2262, 2993.
- Change line between Shelby and, H. 124, p. 2897.
- Consolidate the different courts of, H. 315, p. 360, 3556.
- Create the superior court of, H. 481, p. 644, 780, 1089.
- Create the office of jury commissioners for, H. 1068, p. 2580, 2771, 3025, 3282.
- Dispose of surplus coming into fine and forfeiture fund of, S. 301, p. 1941, 2054, 2284, 2344.
- Establish inferior court, in lieu of justices of the peace in precinct 33, H. 550, p. 806, 2855.
- Establish inferior court in precinct 45, H. 1242, p. 2898, 3219, 3756, 3792, 4145, 4234.
- Establish a board of revenue for, amend act, S. 629, p. 3950, 4029, 4168, 4211.
- Fix time for election of solicitor for, H. 1218, p. 2760, 2875, 3419, 3778, 3786.
- Fix salaries of judges of criminal court of, H. 711, p. 1281, 1309; Do. 712, p. 1282, 1309, 1990, 2181, 2259.
- Further provide for jurors for trial of causes other than capital cases, H. 584, p. 921, 988, 1244, 1288, 1578, 1585.
- Grant register in chancery power to exercise duties conferred by law, etc., in term time, H. 541, p. 796, 915, 1382, 1389, 1643, 1705.

BIRMINGHAM—*Continued.*

- Increase the salary of the solicitor of, H. 1219, p. 2760, 2875, 3173, 3416, 3777, 3786.
- Prohibit the sale of liquor within Warrior precinct, No. 17, H. 478, p. 639, 1432, 2003, 2039, 2278, 2298.
- Prohibit the sale of miner's oil, without the official brand, etc., H. 542, p. 798, 877; Do. S. 251, p. 1712, 1857, 1997, 2090.
- Prohibit sale of liquor near Dolcito, H. 854, p. 1932, 2870, 3643, 3673, 4021, 4038.
- Re-arrange boundary lines of Elyton, H. 952, p. 2454, 2771, 2986, 3281, 4040, 4073.
- Regulate the drawing, etc., of juries in capital cases, H. 585, p. 922, 988, 1380, 1389, 1710, 1738.
- Regulate fine and forfeiture fund of, H. 125, p. 204, 1433, 1999, 2076.
- Regulate pay of State witnesses in, H. 127, p. 209.
- Regulate collection, etc., of proceeds of hire of convicts, H. 487, p. 659, 2789.
- Require board of revenue to lay off into four districts, H. 494, p. 661, 880, 1377, 1389.
- Repeal act, to incorporate Jackson Club, H. 382, p. 465, 738, 855, 910, 1575, 1587.
- Repeal act, to incorporate Olivet Club, H. 383, p. 467, 738, 855, 910, 1575, 1584.
- Repeal act, to incorporate Trulian Club, H. 384, p. 467, 738, 856, 910, 3108, 3120.
- Repeal act, to incorporate Leisure Hour Club, H. 386, p. 469, 738, 857, 910, 1580, 1586.
- Repeal act, to incorporate South Side Reading Club, H. 388, p. 471, 1153, 1389, 1921, 2376, 2646.
- Repeal act, to confirm incorporation of Shakespeare Club, H. 387, p. 470, 738, 854, 910, 1575, 1586.
- Repeal act, to repeal charter of Shakespeare Club, H. 385, p. 468, 738, 857, 910, 1575, 1585.
- Amend act to amend sec. 908 of Code, as to, H. 750, p. 1655, 1894, 2180, 2197.
- Vacate and annul certain streets and alleys in, H. 301, p. 354, 834; Do. H. 1316, p. 3074, 3216, 3485, 3617, 3879, 3893.
- Vacate and annul dedication of certain streets in, S. 490, p. 3314, 3552, 3746, 3828; Do. S. 489, p. 3316, 3552.

BIRMINGHAM—*Continued.*

Vacate the dedication of certain highways in, H. 1066, p. 2576, 2772, 3170, 3422, 4019, 4107; Do. H. 1067, p. 2577, 2773, 2971, 3417.

Vacate and annul Stallenwerck ave. in, H. 950, p. 2452, 2769, 3027, 3282, 3778, 3786.

Vacate and annul 5th street, etc., H. 951, p. 2452, 2769, 3026, 3280, 3778, 3787.

Vacate and annul dedication of certain streets in Smithfield, S. 492, p. 3312, 3551.

JENKINS, SAMUEL C.—

Bills by: H. 237-8, p. 281; 446, p. 614; 566, p. 814; 593, p. 933; 1085, p. 2652; 1086, p. 2653; 1292, p. 2928; 1293, p. 2929; 1320, p. 3078; 1387-8, p. 3561.

Resolutions by: p. 1305, 2646, 2885.

JOHN, SAM WILL—

Bills by: H. 25, 26 to 32, p. 60; 33 to 37, p. 61; 38 to 40, p. 62; 121, p. 203; 184, p. 249; 240, p. 283; 314-5, p. 360; 389-90-1-2, p. 472; 429, p. 560; 443, 467-8-9, p. 637; 471 to 474, p. 638; 477-8, p. 639; 476, p. 640; 475, p. 641; 545, p. 801; 546, p. 802; 547, p. 805; 589, p. 932; 601-2, p. 951; 624, p. 1015; 651-2, p. 1102; 663, p. 1114; 664-5-6, p. 1266; 733, p. 1338; 764, p. 1464; 815, p. 1652; 833, p. 1769; 852, p. 1877; 854, p. 1932; 858, p. 2062; 939, 940-1-2-3-4-5, p. 2448-9; 1129, p. 2702; 1130-1-2, p. 2702; 1206, p. 2752; 1209, p. 2753; 1216, p. 2758; 1239-40, p. 2896; 1241, p. 2897; 1242, p. 2898; 1306, p. 2940; 1309, p. 2946; 1370, p. 3386; 1381, p. 3394; 1396, p. 3769.

Resolutions by: p. 17, 163, 164, 167, 329, 395, 733, 839, 1196, 1252, 1411, 1447, 1477, 1478, 1639, 1640, 1817, 1847, 1879, 1890, 1924, 1926, 2038, 2123, 2124, 2193, 2222, 2294, 2297, 2312, 2313, 2368, 2381, 2382, 2612, 2852, 2887, 3286, 3446, 3694, 3820, 3898, 3916, 3940, 4030, 4112, 4173.

JOHNSON, JOHN W.—

Bills by: H. 94, p. 186; 560, p. 813.

JOHNSTON, JOSEPH F.—

Elected United States Senator, p. 4114, 4191.

JOINT RESOLUTION—(See *Resolutions*.)

JONES, W. J.—

Bills by: H. 186, p. 256.

JUDGES—(See *Courts*.)

Charge to a jury, to regulate, H. 733, p. 1338, 1438.

How salaries of circuit, shall be paid, H. 953, p. 2455, 2856, 3194, 3414, 3871, 3891.

Prohibited from sitting in criminal cases, when related to either party, H. 257, p. 292, 551.

Requiring supernumerary, to try civil and criminal cases when others are disqualified, H. 549, p. 806, 2879.

Repeal act, to provide for payment of expenses of supernumerary, H. 722, p. 1330, 1430.

To fix salaries of chancellors and circuit, H. 379, p. 463, 575, 1296, 1304, 1951, 1966, 2077.

JUDGMENTS—

Regulate procedure of opening and vacating, H. 864, p. 2066, 2856.

JURORS—

Prevent publication of grand or petit, H. 191, p. 257, 917.

Prevent public officials from disclosing names of, H. 212, p. 262, 914.

Regulate the compensation of, H. 157, p. 231, 309.

Regulate the selection, etc., of, H. 941, p. 2448, 2856, 3663, 3792.

JUSTICES OF THE PEACE—

Blanks to be furnished to, H. 280, p. 335, 1099, 1441, 1562, 4000, 4233, 4238.

Further define the competency of, H. 322, p. 368, 1429.

Prohibit from acting as attorney, in certain cases, H. 894, p. 2393, 2777, 3138, 3415, 4016, 4105.

Regulate the control of, over their judgments, etc., H. 602, p. 951, 1573.

Require constables to take appearance bonds in certain cases, H. 398, p. 480, 582.

KORNEGAY, R. R.—

Bills by: H. 71-2-3, p. 91-2; 104-5, p. 193; 289, p. 349; 768, p. 1467; 918-9, p. 2420; 1045, p. 2553; 1071, p. 2582; 1072, p. 2583; 1290, p. 2927.

Resolutions by: p. 50, 919.

KING, JERE C.—

Bills by: H. 121, p. 203; 123-4-5, p. 204; 126, p. 207; 127, p. 209; 309-10-11-12, p. 360; 485, p. 658; 486-7, p. 659; 488, p. 660; 676, p. 1161; 853, p. 1931; 855, p. 1933; 929, p. 2436; 930-1, p. 2439; 1077, p. 2584; 1351-2, p. 3239.

Resolutions by: p. 984, 1026, 1092, 1095, 1146, 2381.

KIRBY, ATTICUS D.—

Bills by: H. 42-3, p. 62; 140, p. 223; 141, p. 224; 159, p. 238; 221, p. 270; 232, p. 277; 395, p. 475; 502, p. 668; 654, p. 1102; 685, p. 1214; 686, p. 1218; 687, p. 1219; 688, p. 1220; 689, p. 1221; 837, p. 1770; 965-6, p. 2466; 1145, p. 2709; 1221, p. 2761; 1222, p. 2763; 1223, p. 2765; 1328, p. 3084.

Resolutions by: p. 287, 776, 1291, 1306, 1476, 2646, 3770, 3821.

LABOR—

- Bureau of, statistics established, H. 160, p. 238, 989, 2806.

LACY, S. C., (Dallas.)—

Bills by: H. 244, p. 291; 361, p. 432; 420, p. 522.

LACY, ERNEST, (Walker)—

Bills by: H. 181, p. 248; 182-3, p. 249; 235, p. 279; 345, p. 382; 609, p. 954; 706, p. 1272; 708, p. 1274; 868, p. 2072; 874, p. 2225; 875, p. 2226; 880, p. 2320; 1308, p. 2940; 1358, p. 3240; 1372, p. 3386; 1379, p. 3392.

Resolutions by: p. 331, 2648.

LAMAR COUNTY—

Allow circuit clerk of, an assistant, H. 1347, p. 3237, 3550, 3742, 3790, 4047, 4110.

Better provide for working public roads, repeal act, H. 1139, p. 2706, 2866, 3175, 3459, 3775, 3785.

LAMAR COUNTY—*Continued.*

- Establish a stock law, amend act, as to, H. 1345, p. 3234, 3550, 3736, 3791, 4046, 4109.
- Incorporate town of Sulligent, amend act, H. 756, p. 1459, 1569, 2018, 2040, 2262, 2299.
- Prohibit the sale of liquor in, H. 498, p. 663, 879, 968, 1071, 1579, 1642; Do. amended, H. 1213, p. 2754, 2867, 3182, 3415, 4018, 4071.
- Provide for publication of local acts of, H. 1346, p. 3235, 3558.
- Repeal act, to create Fellowship school district, H. 1366, p. 3245, 3656.

LANCASTER, W. L.

- Bills by: H. 1184, p. 2737; 1185, p. 2737; 1186, p. 2738; 1220, p. 2761.

LANDS—

- Provide for recovery to State of, not legally patented, amend act, H. 779, p. 1534, 1754, 3869.
- Refund omney for certain, erroneously sold, H. 1188, p. 2738, 3558.

LAWRENCE COUNTY—

- Bethel school district, amend act, to establish, H. 836, p. 1769, 2132, 3038, 3282, 3775, 3806.
- Fix time of holding circuit court in, H. 1252, p. 2902, 3065, 3505, 3593, 4047, 4110.
- Prevent the shipment of liquor in, H. 959, p. 2462, 2779, 3029, 3282.
- Require sheriff to procure from U. S. Rev. Collector, list of liquor licenses, H. 1337, p. 3228, 3383, 3918, 4145, 4235.
- School trustees of, T. 4, range 8, west, for relief of, H. 682, p. 1213, 1568, 1840, 1920, 4018, 4039.

LAWS—

- Adopt a code of, for the State, H. 939, p. 2448, 2856, 3086, 3113, 3572, 3602.
- Provide for publication of local, in counties, H. 905, p. 2405, 2876, 3714, 3808.

LAWSON, J. H.—

Bills by: H. 174, p. 244; 175, p. 246; 233, p. 277; 234, p. 277; 265-6, p. 304; 340, p. 378; 341, p. 381; 436, p. 565; 607, p. 953; 1017, p. 2524; 1018, p. 2527; 1019, p. 2529.

LEAVES OF ABSENCE—

Pages: 18, 286, 315, 322, 392, 405, 593, 730, 772, 860, 888, 908, 977, 1024, 1144, 1195, 1251, 1302, 1361, 1368, 1387, 1444, 1526, 1635, 1736, 1845, 1918, 2037, 2074, 2121, 2191, 2297, 2311, 2375, 2645, 2851, 3061, 3215, 3377, 3446, 3645, 3674, 3804, 3884, 3916, 3993, 4089.

LEE, W. L., (Houston)—

Bills by: H. 13 to 23, p. 58-9; 116 to 120, p. 203; 208, p. 261; 247, p. 291; 292, p. 353; 293, p. 353; 377-8-9, p. 463; 616, p. 1002; 617, p. 1004; 618, p. 1007; 619, p. 1008; 620, p. 1013; 669, p. 1155; 718, p. 1319; 719, p. 1321; 720, p. 1326; 810, p. 1560; 813, p. 1652; 830, p. 1766; 1062, p. 2572; 1117, p. 2693; 1118, p. 2694; 1119, p. 2695; 1301, p. 2936.

Resolutions by: p. 869, 3442, 3540.

LEE, ALTO V., (Etowah)—

Bills by: H. 114, p. 197; 245, p. 291; 363, p. 432; 364, p. 433; 365, p. 434; 582, p. 920; 765, p. 1464; 949, p. 2451; 1044, p. 2551; 1312, p. 2946.

Resolutions by: p. 1305, 1477, 1527, 2194, 3694.

LEE, GENERAL STEPHEN D.—

Invited to address the Legislature, p. 394, 396, 403, 407, 536.

LEE, R. M., (Barbour)—

Bills by: H. 242, p. 291; 271, p. 331; 567, p. 815; 1383, p. 3559.

LEGISLATION—

Establish a board of commissioners for promotion of uniform.
in U. S., H. 983, p. 2486, 2857.

LEE COUNTY—

- Abolish county court of, H. 139, p. 222, 574, 763, 773, 1921, 1960.
- Authorize county court to enforce judgments, etc., H. 963, p. 2464, 2774, 3016, 3113, 3571, 3603.
- Authorize, to borrow money, H. 499, p. 666, 917 1088, 1176, 1576, 1586.
- County court of law and equity, to establish, H. 136, p. 216, 575, 721, 722, 889, 1921, 1960 2169; Do. amend, H. 964, p. 2465, 2774, 2974, 3340, 3444.
- Detach from third judicial circuit, H. 137, p. 218, 573, 774, 1921, 1960.
- Detach from northeastern chancery division, H. 138, p. 220, 573, 758, 773, 1921, 1960.
- Fix salary of treasurer of, H. 871, p. 2141, 2881.
- Ratify the acts and contracts of commissioners of, H. 500, p. 667, 990, 1138, 1207, 1576, 1585.
- Regulate the working of public roads of, H. 670, p. 1157, 1437, 1630, 1742, 2178, 2260.
- Regulate fine and forfeiture fund of, repeal act, H. 1141, p. 2707, 2874, 3538, 3617, 4054, 4110.

LEGISLATURE—

- Define corrupt solicitation of, H. 25, p. 60, 385, 386, 389, 603, 736, 1028, 1165, 1207, 2792, 2851, 4187, 4201.
- Expenses of, attending funeral of Senator Pettus, S. 637, p. 4014, 4095, 4184, 4227.
- Fix pay of members, H. 244, p. 291, 2062.
- Make provision for expenses of, H. 788, p. 1542, 1657, 1950, 2176, 2259; Do. H. 1232, p. 2890, 3067, 3396, 4016, 4038.
- Subordinates employees of provided for, S. 1, p. 323, 394, 860, 861, 1210, 1982, 2087, 2186.

LIABILITY—

- Incurred in another State to make subject to enforcement by courts in this State, H. 1070, p. 2582, 2858.

LIBEL—

- Lawful for defendant in prosecution for, to give evidence the truth, and such evidence shall be good in mitigation, H. 908, 2405, 2776.
- Regulate actions for, H. 1204, p. 2752, 2859.
- Regulate civil actions for, against publishers, H. 1203, p. 2752, 2860.

LIBRARIES—

Aid in the establishment of, for free schools, S. 323, p. 3946, 4092; Do. H. 517, p. 686, 2060.

LICENSES—(See *Taxes and Taxation*.)

LIENS—

Create, in favor of saw mill laborers, etc., H. 1393, p. 3656, 3888.

Give boarding house keeper, on goods of lodgers, H. 660, p.

1113, 1565.

On personal property in favor of vendor for purchase money, to create, H. 739, p. 1415, 1761.

LIMESTONE COUNTY—

Authorize, to construct public roads, S. 385, p. 2991, 3069, 3360, 3445.

Commissioners required to levy an annual tax on dispensaries, H. 698, p. 1267, 1432, 1839, 1919.

Fix time of holding circuit court in, S. 504, p. 3141, 3219, 3536, 3683.

Regulate ex-officio fees of clerk of circuit court, amend act, H. 993, p. 2494, 2774, 3407.

Repeal act, to provide for sale of liquor in Mooresville, H. 569, p. 815, 879, 1021, 1071, 1644, 1705.

LINDSEY, W. H.—

Bills by: H. 83, p. 177; 84, p. 178; 85, p. 181; 354, p. 427; 355, p. 427; 776, p. 1529.

LIVE STOCK—(See *Stock*.)

LIQUOR—

As to transportation or shipment of, H. 135, p. 216, 387, 539, 1229, 1289, 3115, 3274.

Further regulate in cities of certain population, H. 348, p. 385, 881.

Prohibit sale of, nearer than 100 feet of any bridge, H. 794, p. 1545, 1756.

LIQUOR—*Continued.*

Prohibit sale of, by elections in various counties, S. 128, p. 1725, 1744; Dd. H. 177, p. 248, 1575; Do. H. 128, p. 210, 599, 601, 1055, 1120, 1128, 1134, 1849.

Prohibit sale of by a woman etc., H. 833, p. 1769, 2051.

Prohibit disposition of, in certain localities, H. 151, p. 226, 1756.

Parties who solicit, in prohibition district, to pay license tax, H. 194, p. 257.

Prevent the drinking of, in presence of passengers on railroads, etc., H. 1003, p. 2501, 2779.

Prohibit the sale of, in Alabama, H. 354, p. 428, 1439; H. 1235, p. 2891, 3888, 3877.

Prohibit the sale of, amend act, H. 1340, p. 3230; S. 441, p. 3335, 3383, 4032, 4119.

Preventing the manufacture, sale, etc., of adulterated or poisonous, H. 154, p. 226.

Prohibit an unlawful sale of, S. 12, p. 1204, 1757, 2220, 2342.

Prevent storing and keeping in social clubs, etc., H. 840, p. 1775, 2053.

Prevent drinking, on passenger cars, S. 428, p. 3942, 4058.

Regulate the opening and closing of saloons, S. 344, p. 2947, 3065, 3565, 3706.

Regulate the sale of, in the State, H. 400, p. 491, 1575.

Sale of, better regulate in cities and towns, H. 440, p. 565.

Sale of, in prohibition districts, a felony, H. 1326, p. 3081, 3649,

Sale of hop-jack, tea, etc., prohibited, H. 928, p. 2436, 2780, 4024, 4232, 4250.

To further regulate the sale of H. 1048, p. 2555, 2780.

LOANS—

Misdemeanor to charge more than 2 per cent. per month, H. 68, p. 81, 914, 3995.

Validate, of money by towns, H. 1147, p. 2710, 3221.

Validate, evidenced by notes and secured by mortgages, made by cities, S. 519, p. 3141, 3652, 4180, 4212.

LONG, WM. H., JR., (Morgan)—

Bills by: H. 47-8, p. 63; 165, p. 240; 166, p. 241; 167-8-9, p. 243; 230, p. 275; 231, p. 276; 256-7, p. 292; 333, p. 371; 334, p. 371; 407, p. 494; 408-9, p. 495; 512, p. 673; 513-4, p. 682; 515, p. 684; 568, p. 815; 734, p. 1338; 988, p. 2489; 989, p. 2490; 990-1, p. 2492; 992, p. 2493; 993, p. 2494; 994-5-6-7, p. 2495; 1166, p. 2721; 1271, p. 2911; 1272, p. 2915; 1273, p. 2916; 1274, p. 2918; 1275, p. 2920.

Resolutions by: p. 167, 416, 920, 1092.

LONG, J. LEE, (Butler)—

Bills by: H. 89, p. 184; 281, p. 335; 534, p. 789; 637, p. 1040; 638, p. 1040; 781, p. 1535; 842-3, p. 1776; 896, p. 2394; 1092, p. 2658; 1093, p. 2659; 1295-6, p. 2930-1; 1297-8, p. 2932-3; 1299, p. 2935; 1332, p. 3226.

Resolutions by: p. 331, 775, 776, 1198, 1253, 1388, 1846, 2369, 2379, 2648, 2884, 4173.

LOVELADY, R. F.—

Bills by: H. 393, p. 475; 562, p. 813; 681, p. 1212; 800-1-2, p. 1555; 928, p. 2436; 1048, p. 2555; 1122-3, p. 2700; 1371, p. 3386.

Resolutions by: p. 2647.

LOWNDES COUNTY—

Divide into five revenue districts, S. 411, p. 3201, 3380, 3634, 3706.

For improvement of public roads, in, H. 1256, p. 2903, 3063, 3363, 3421, 3889.

Provide for compensation of deputy solicitor of, S. 412, p. 3202, 3217, 3635, 3706.

Require peddlers to pay license tax in, H. 1255, p. 2902, 3068, 3366, 3421.

Repeal act, to incorporate Hayneville, S. 375, p. 2278, 2791, 3181, 3367, 3445.

LYONS, A. S.—

Bills by: H. 160, p. 238; 228, p. 274; 269, 270, p. 331; 284, p. 338; 323, p. 369; 399, p. 491; 668, p. 1115; 675, p. 1160; 733, p. 1338; 788, p. 1542; 817, p. 1652; 818-9, p. 1653; 867, p. 2067; 971, p. 2473; 972, p. 2474; 973, p. 2477; 974, p. 2478; 975, p. 2479; 976, p. 2480; 879, p. 2319; 1150-1, p. 2711; 1212, p. 2754; 1319, p. 3077; 1380, p. 3393; 1397, p. 3770.

Resolutions by: p. 415, 777, 868, 1305, 1306, 1476, 1526, 1926, 2372.

MADISON COUNTY—

Create the office of county commissioner for, H. 688, p. 1220, 1564, 1834, 1919, 2177, 2259.

Create a board of education for Huntsville school district, S. 495, p. 3104, 3649, 3867, 3921.

Create a police commission for Huntsville, H. 1222, p. 2763, 3221, 3636, 3674.

Establish law and equity court, for, amended, H. 966, p. 2466, 2857, 3177, 3417, 3776, 3806; S. 493, p. 3310, 3555.

Establish law and equity court for, H. 685, p. 1214, 1308, 1518, 1600, 1743, 1848.

Establish a dispensary in Huntsville, H. 395, p. 475, 598.

Establish a dispensary for, S. 158, p. 696, 739, 847; Do. amended, S. 496, 3207, 3384, 3989, 4015.

Fix terms of circuit court of, H. 689, p. 1221, 1564, 1897, 1963, 2177, 2299.

Fix time and place of holding chancery court in, S. 494, p. 3310, 3555; Do. H. 965, p. 2466, 2857, 3181, 3410, 3776, 3785.

Maintaining the public roads and bridges in, S. 542, p. 3695, 3767, 3968, 3977, 4120.

Prohibit the operating of billiard or pool tables in, H. 1221, p. 2761, 2867, 3177, 3418, 3880, 3890.

Prohibit the sale of liquor in, H. 502, p. 668, 739.

Prohibit the sale of liquor in, except in dispensary at Huntsville, S. 191, p. 835, 880, 967, 1119.

Provide for stock law in certain precincts, repeal act, H. 699, p. 1269, 1434, 2014, 2040, 2261, 2299.

Regulate the taxing of dogs in, S. 633, p. 3927, 3994, 4161, 4227.

Regulate trial of misdemeanors in, repeal act, S. 501, p. 3308, 3551; Do. H. 686, p. 1218, 1564, 2638, 2794, 3341, 3444.

MADISON COUNTY—Continued.

Repeal all laws and statutes establishing county courts in, S. 502, p. 3308, 3550; Do. H. 687, p. 1219, 1564, 2639, 2795, 3341, 3444.

Sum required by Sec. 25 of act, to establish a dispensary at Huntsville, be paid over to Supt. of Education for support of public schools, H. 1223, p. 2765, 2869, 3176, 3419.

MACON COUNTY—

Divide into four commissioners' districts, S. 46, p. 410, 990.

To regulate trial of misdemeanors in, amended, H. 725, p. 1332, 1434, 211, 2076, 2277, 2299.

MALONE, J. W.—

Bills by: H. 1376, p. 3389; 1377, p. 3390.

MANER, O. C.—

Bills by: H. 44-5-6, p. 63; 349, p. 385; 406, p. 494; 510, p. 673; 561, p. 813; 726, p. 1333; 741, p. 1416; 982, p. 2485; 983-4, p. 2486; 985, p. 2487; 1161, p. 2715; 1339, p. 3230; 1361, p. 3242.

Resolutions by: p. 1291, 1446, 1476, 2074, 2123, 2304, 2317, 2372, 2618, 3540, 3770, 4175.

MAP—

Provide for topographic, of Alabama, H. 121, p. 203, 608.

MARENGO COUNTY—

Establish inferior court of Demopolis, amend act, H. 222, p. 270, 309, 2016, 2076, 2278, 2299.

Establish dispensary in the town of Thomaston, H. 397, p. 485, 611, 972, 1073, 1579, 1596.

Establish dispensary for Dayton, H. 655, p. 1104, 1474, 1902, 2092, 2261, 2298.

Establish law and equity court for, H. 656, p. 1106, 1563, 2815, 3132.

Extend the corporate limits of Linden, H. 773, p. 1469, 1569; Do. S. 328, p. 1945, 2055, 2284, 2344.

Prohibit the sale of liquor within the limits of Faunsdale, H. 321, p. 367, 610, 971, 987, 1579, 1585; Do. S. 180, p. 1345, 1433.

MARENGO COUNTY—*Continued.*

Provide a road law for, H. 622, p. 1014, 1098, 1247, 1289, 1576, 1597; Do. amended, H. 1259, p. 2904, 3063, 3346, 3418, 3774, 3807.

Re-arrange part of boundary line between Clarke and, H. 432, p. 562, 601.

MARION COUNTY—

Abolish the county court of, repeal act, S. 530, p. 3826, 3885, 4084, 4120.

Amend act, to amend sec. 909, as to times of holding court in, H. 150, p. 225, 608, 973, 974, 986, 1580, 1586.

Amend sec. 14 of charter of Hamilton, H. 796, p. 1546, 1857.

Commissioners to pay for repairs of jail, H. 433, p. 563, 577, 986, 1580, 1585.

Give boardinghouse keepers lien on goods and wages of ex-confederate soldiers, H. 660, p. 1114.

Increase criminal jurisdiction of justices of the peace, etc., repeal act, H. 223, p. 271, 309, 2843, 2853, 4017, 4105; Do. H. 224, p. 272, 309, 2642, 2794, 3252, 3274; Do. H. 1210, p. 2753, 2860, 3165, 3418, 4016, 4072.

Prohibit the sale of liquor in, H. 795, p. 1545, 1756, 2627, 2794, 3571, 3603.

Repeal act, to repeal secs. 1017 and 1018 of Code, as to, H. 239, 282, 310, 2814, 2853, 4018, 4105.

Require commissioners to advertise for bids for building bridges, etc., H. 797, p. 1547, 1656, 2641, 2795, 3252, 3274.

Require commissioners to use 2 mills for improvement of public roads, H. 1054, p. 2564, 2778, 3037, 3412, 4055, 4108.

MARSHALL COUNTY—

Provide for holding two terms of circuit court in, H. 1049, p. 2555, 2771, 3008, 3409, 3871.

MARTIN, WM. L.—

Elected speaker, p. 8.

Oath administered to, p. 16.

MARTIN, W. L.—

Elected Speaker, p. 8.

Oath administered to, p. 16.

Bills by: H. 441, p. 566; 507, p. 671; 703-4, p. 1271; 727, p. 1334; 759, p. 1462; 758, p. 1462; 811, p. 1562; 838, p. 1770.

Resolutions by: p. 6.

MASTERS AND EMPLOYEES—

To further regulate the liability of, H. 429, p. 560, 1753, 2800.

MASTIN, P. B.—

Bills by: H. 987, p. 2489; 1079, p. 2585.

Resolution by: 2883.

MEAL, CORN—

To regulate the sale of, H. 66, p. 80, 388, 828, 985, 2151.

To regulate the weights under which shall be packed, H. 67, p. 80, 551.

MEDICAL COLLEGE—

Dissolve board of trustees of, H. 819, p. 1653, 1857, 2094, 2305, 2315; Do. S. 367, p. 2349, 2864.

Provide necessary funds for maintenance, H. 323, p. 369, 1152, 1605, 1703, 2031, 2078, 2274, 2302.

MEDICINE—

Prevent manufacture, sale, etc., of adulterated and poisonous, H. 154, p. 226.

Regulate the practice of, H. 674, p. 1160, 1438, 3680, 3798, 4064, 4111.

Regulate the sale of, H. 65, p. 80.

Regulate the sale of, etc., of proprietary, H. 143, p. 224.

Require a license for peddling proprietary, H. 519, p. 747, 1438, 1934, 3654.

MEMBERS—

List of, p. 4-5.

Oath of office administered to, p. 5.

Of House, p. 3-5.

Seats assigned to, p. 5.

MEMORIAL—

From Legislature of North Dakota, p. 2355.

MERCHANDISE—

To regulate sale of, H. 204, p. 259, 779; Do. in bulk, H. 813, p. 1652; Do. S. 291, p. 1967, 2051, 2610, 2796.

MESSAGES FROM THE GOVERNOR—(See *Governor's Message*.)

MIDWIFERY—

Regulate the practice of, H. 677, p. 1161, 1438, 3911.

MIDDLETON, J. OSMOND—

Bills by: H. 81-2, p. 177; 282, p. 336; 574, p. 891; 635, p. 1040; 636, p. 1040; 898, p. 2396; 1098, p. 2661; 1356, p. 3240.

MILITARY—(See *Ala. National Guard*.)

MINORS—

Exempt salaries of, from payment of debts, H. 738, p. 1415, 1565.

MITCHELL, C. E.—

Bills by: H. 149, p. 224; 150, p. 225; 223, p. 271; 224, p. 272; 239, p. 282; 322, p. 368; 398, p. 490; 433, p. 563; 503-4, p. 670; 553, p. 810; 667, p. 1114; 795, p. 1545; 796, p. 1546; 797, p. 1547; 1054, p. 2564; 1210, p. 2753; 1261 to 1265, p. 2906-7.

Resolutions by: p. 330, 595.

MOBILE COUNTY—

Abolish office of justice of the peace in Mobile, H. 744, p. 1420, 1565.

Alter and extend corporate limits of Mobile, amend act, H. 1319, p. 3077, 3217.

Appropriation to National Negro Fair Association, H. 974, p. 2478, 3224.

Authorize to issue bonds for improving harbor, H. 977, p. 2481, 2787, 3751, 3792, 4233, 4237.

Establish law and equity court of, H. 1008, p. 2504, 2777, 3051, 3416, 4019, 4072.

MOBILE COUNTY—*Continued.*

- Extend corporate limits of Mobile, S. 236, p. 1344, 1437, 1829, 1888, 1962; Do. amended, S. 592, p. 3462, 3550, 3868, 3922.
- For the government of juvenile infants in, H. 284, p. 338, 578, 591; Do. S. 142, p. 1725, 1758, 2020, 2087, 2186.
- Grant to Mobile, all title to shone and bed of Mobile river, H. 878, p. 2318.
- Gulf Coast Tropical Fair Association, authorize city and county to contribute to, H. 1317, p. 1317, p. 3076, 3215.
- Inferior criminal court, amend act, to establish, S. 116, p. 1060, 1150, 1375, 1591.
- Manner of taking fish from waters of Baldwin and, S. 476, p. 3822, 3885, 4086, 4121.
- Misdemeanor to sell liquor in certain localities in, S. 223, p. 1724, 2053, 3040, 3251.
- More efficient working of public roads, H. 969, p. 2470, 2783; S. 479, p. 3318, 3380, 3754, 3797, 3920.
- Protect fish in Deer river, etc., amend act, H. 968, p. 2469, 2770, 3370, 3423.
- Protect fish in certain rivers in, amend act, S. 471, p. 3825, 3885, 4085, 4120.
- Provide for payment of indebtedness of Mobile, H. 156, p. 226, 328, 407, 1955, 2077.
- Provide for election of a solicitor for, S. 100, p. 688, 1147, 1520, 1636; Do. for compensation of solicitor for, S. 101, p. 689, 1147, 1521, 1636; H. 971, p. 2473, 2786, 3034, 3283, 3776, 3785.
- Prohibit sale of liquor near Cedar school house, H. 742, p. 1417, 1474, 2641, 2796, 3661, 3714.
- Prohibit sale of liquor in, H. 795, p. 1545.
- Prohibit sale of liquor at Pritchard, H. 970, p. 2472, 2780, 3741, 3791, 4045, 4108.
- Prohibit sale of liquor near National Negro Fair Grounds, H. 976, p. 2480, 2779.
- Provide for inferior court for Mobile, H. 743, p. 1418, 1566.
- Provide fund for fire department in Mobile, repeal act, H. 817, p. 1652, 2057, 2628, 2795, 3253, 3274.
- Re-arrange corporate limits of Mobile, H. 434, p. 564, 578.

MOBILE COUNTY—*Continued.*

- Regulate compensation of jurors in, H. 157, p. 231, 309, 1018, 1073, 1576, 1586.
- Regulate mode of drawing jurors in, H. 158, p. 233, 309, 1019, 1177, 1576, 1642.
- Regulate time and manner of catching fish in H. 972, p. 2474, 2876, 3156, 3423.
- Relieve national negro fair association from license and taxes, H. 975, p. 2479, 3068.
- Require tax assessor to make lot book, S. 581, p. 3709, 3765, 3980 4054.
- Revenue constable for amend act to establish office of, H. 973, p. 2477, 2770, 3030, 3282, 3875, 3890.

MONROE COUNTY—

- Authorize payment of warrants improperly issued, H. 757 p. 1460, 1655, 2022, 2040, 3254, 3773.
- Better provide for working public roads, repeal certain sections as to, H. 1321 p. 3078, 3216, 3636, 3674, 4020, 4072.
- Confer additional jurisdictions upon county court of, H. 161, p. 238, 307, 767, 890, 1164, 1197.
- Provide for keeping in repair public roads, H. 356 p. 427, 579, 906, 986, 1575, 1597.

MONTGOMERY COUNTY—

- Alter boundary lines of Montgomery, H. 1363 p. 3243, 3653 3869.
- Create the office of assistant solicitor for, H. 508, p. 672, 778, 895, 910, 1578, 1596.
- Divide into three revenue districts, etc., S. 176 p. 1057, 1150, 1627, 1743.
- Fix time of holding city court in, S. 47, p. 411, 575, 720; Do. H. 163 p. 240, 417, 1246, 1289, 1955, 2077.
- Fix salary of judge of city court of Montgomery, H. 726 p. 1333, 1434, 1620, 1704, 2151, 2176.
- Impose tax of one dollar on dogs in, H. 1079 p. 2585, 2771, 3017, 3113.
- Make judge and associate of city court of Montgomery elective, S. 190 p. 1717. 2057, 3637, 3705.
- Provide for two janitors for courthouse, H. 402 p. 491, 578, 716, 730, 1581, 1586.

MONTGOMERY COUNTY—*Continued.*

- Provide bailiff for courts of, H. 404 p. 492, 576, 719, 731, 1119, 1144.
- Provide for official stenographer for city court of Montgomery, H. 727 p. 1334, 1434, 1633, 1704, 2151, 2261; Do. S. 312 p. 1943, 2050.
- Provide for guards for county jail, H. 1160 p. 2714, 3217, 3514, 3618, 3877, 3888.
- Prescribe rules of practice and procedure in circuit court of, S. 467 p. 3091, 3219, 3513, 3684.
- Provide for payment of witnesses in S. 527 p. 3257, 3549, 3752, 3797, 3921.
- Provide for election of one justice of the peace for each precinct in city of Montgomery, S. 196, p. 3437, 3551, 3584, 3920.
- Regulate the fine and forfeiture fund of, S. 526 p. 3298, 3552, 3743, 3829.
- Require tax assessor to make lot book annually, H. 1270, p. 2910, 3070, 3348, 3414, 4232, 4238.

MONUMENTS—

- Erection of, in Stonewall cemetery, at Winchester, Va., S. 172, p. 1965, 3557; Do. H. 3336, p. 371, 2060.

MOORE, J. W.—

- Bills by: H. 49, p. 63; 50, p. 68; 172, p. 243; 173, p. 244; 262, p. 293; 263, p. 297; 264, p. 300; 337-8, p. 371; 435, p. 565, 526, p. 784; 606, p. 952; 774, p. 1470; 876, p. 2228; 1016, p. 2522; 1176, p. 2728; 1283, p. 2924.

MORGAN COUNTY—

- Abolish the county court of, H. 515, p. 684, 915, 1078, 1177, 4046, 4108.
- Authorize the use of seines during July and August, H. 1171, p. 2727, 2882.
- Authorize fruit growers to sell wine of their own vintage, H. 1276, p. 2921, 3654.
- Empower treasurer to pay jurors, etc., H. 1274, p. 2918, 3066, 3372, 3459.

MORGAN COUNTY—*Continued.*

Establish law and equity court in, H. 512, p. 673, 914, 1076, 1287, 1580, 1705; Do. amended, H. 1168, p. 2722, 2859, 3132, 3425; Do. H. 1271, p. 2911, 3066, 3515, 3672, 4144, 4235.

Enlarge the powers of board of education, of New Decatur, S. 305, p. 3611, 3649, 3864, 3902, 3921.

Establish inferior court in precinct 10, H. 1169, p. 2724, 2860, 3179, 3419, 4018, 4111.

Repeal act to empower Decatur Land Co. to list certain lands, H. 999, p. 2497, 2784, 3367, 3421, 3877, 3890.

Establish new charter for Hartselle, amend act, H. 1001, p. 2499, 2791, 3071, 3346, 3421, 3877, 3890.

Establish a city recorder in New Decatur, H. 230, p. 275, 309, 2846; Do. 231, p. 276, 310, 2846.

Establish new charter for Somerville, repeal act, H. 734, p. 1338, 1437.

Fix the manner of electing city clerk of Decatur, H. 991, p. 2492, 2871.

Fix the manner of electing marshal of Decatur, H. 992, p. 2493, 2871.

Fix compensation of commissioners, H. 409, p. 495, 576, 896, 911.

Fix time and place for assessing taxes, H. 488, p. 2490, 2768, 3043, 3407.

Fix time and place for collecting taxes, H. 989, p. 2490, 2768, 3043, 3407.

Incorporate Somerville, amend act, H. 1002, p. 2500, 2791, 3071, 3369, 3419, 3877, 3889.

More efficient working of public roads, amend act, H. 997, p. 2495, 2783, 3750, 3791; Do. H. 407, p. 494, 580, 1087, 1177.

Provide for payment of claims against fine and forfeiture fund, H. 1170, p. 2725, 2874, 3197, 3420.

Provide for transfer of civil causes pending in circuit court, H. 1272, p. 2915, 3066, 3371, 3459.

Provide for transfer of causes charging misdemeanor, H. 1273, p. 2916, 3066, 3535, 3618, 4018, 4039.

Provide for transfer to law and equity, causes pending in chancery court, H. 1275, p. 2920, 3067, 3573, 3618.

MORGAN COUNTY—*Continued.*

Regulate trial of misdemeanors in, repeal act, H. 514, p. 682, 915, 1022, 1072, 1818, 1958; Do. amended, H. 166, p. 241, 309, 849, 850, 910, 1711, 1738.

Regulate the issue of garnishments, amend act, H. 557, p. 810, 1563, 2027, 2067.

Regulate ex-officio fees of circuit court clerk, amend act, H. 993, p. 2494, 3035, 3407.

Require assessor and collector to make rounds together, H. 990, p. 2492, 2768, 3035, 3283, 3775, 3785.

To regulate payment of claims against fine and forfeiture fund, repeal act, H. 1000, p. 2498, 2770, 3044, 3114, 4248, 4251.

MORTGAGES (See *Deeds.*)MUNICIPAL CORPORATIONS (See *Cities and Towns.*)

MUTUAL AID ASSOCIATIONS—

Provide for the incorporation of, H. 576, p. 893, 1153, 4037, 4230, 4237.

McCRORY, J. D.—

Bills by: H. 198-9, p. 258; 200-1-2, p. 259; 846, p. 1777; 946, p. 2449; 947, p. 2450; 948, p. 2451.

Resolutions by: p. 1639.

McDUFFIE, JOHN—

Bills by: H. 161, p. 238; 356, p. 427; 740, p. 1416; 757, p. 1460; 1157, p. 2713; 1199, p. 2749; 1321, p. 3078.

McMILLAN, LEE—

Bills by: H. 236, p. 280; 348, p. 385; 421, p. 527; 579, p. 893; 690, p. 1222; 1038, p. 2544; 1039, p. 2545; 1289, p. 2927; 1340, p. 3239.

Resolutions by: p. 1448, 3456.

NORMAL SCHOOLS (See *Schools and Colleges.*)

NORVILLE, JAS. H.—

Bills by: H. 252-3, p. 292; 977, p. 2481; 978, p. 2482; 979, p. 2482; 980, p. 2483; 981, p. 2484; 1317, p. 3076; 1318, p. 3077.

NOTARIES PUBLIC—

Authorized to take acknowledgments and proofs of conveyances,
H. 293, p. 353, 581.

OATH OF OFFICE—

Administered to members, p. 5.
Administered to officers, p. 16, 17.
Administered to A. H. Carmichael, speaker pro tempore, p. 1917.
Administered to P. B. Mastin, p. 2376.

OFFICERS OF HOUSE—

Appointment of pages, messengers, doorkeeper, p. 108, 109.
Appointment of pages, p. 1445.
Election of, p. 8-16, 2296.
Oath of office to subordinate, p. 17.

OIL—

Regulate the sale of kerosene, H. 112, p. 196, 419, 1365, 1390.

OLD SOLDIER'S HOME (See *Confederate Soldiers*.)

OLIVER, E. M.

Bills by: H. 1096-7, p. 2661; 1214, p. 2576; 1215, p. 2757; 1226,
p. 2766; 1231, p. 2889; 1344, p. 3233; 1360, p. 3242.
Resolutions by: p. 1641.

OYSTERS—

Regulate public reefs and beds, H. 1380, p. 3393.

PAIRS—

Pages: 402, 965, 3289, 4033, 406.

PAINTS—

To prevent adulteration of, H. 44, p. 63.

PALMER, DR. T. S.—

Address by: p. 903.

PARKER, GEORGE H.—

Bills by: H. 96, p. 187; 97, p. 188; 98, p. 189; 99, p. 191; 100, p. 192; 101, p. 192; 102, p. 192; 458-9, p. 632; 729, p. 1336; 772, p. 1468; 914, p. 2417; 915, p. 2418; 913, p. 2407; 1335, p. 3226; 1373, p. 3387.

Resolutions by: p. 1640.

PASSES (See *Free Passes.*)

PEARSON, HOSEA—

Bills by: H. 171, p. 243; 522, p. 750; 605, p. 952; 640, p. 1042; 705, p. 1271; 1011-12, p. 2518; 1013, p. 2519; 1014, p. 2520; 1015, p. 2521; 1304, p. 2938.

PEETE, B. B.—

Bills by: H. 217, p. 269; 218-9, p. 270; 320, p. 367; 501, p. 668; 569, p. 815; 698, p. 1267; 723, p. 1330; 1144, p. 2709; 1254, p. 2902.

Resolutions by: p. 777, 1094, 1146, 3898.

PETITIONS—

Asking for back pensions for old veterans, p. 305.

Citizens of Uniontown, for passage of local option law, p. 529.

PHYSICIANS—

Fix fees and compensation of, when summoned as witnesses, H. 54, 1438.

Prescriptions by, as to liquor, S. 503, p. 4069, 4093, 4167, 4212.

While intoxicated, better provide for protection of people from, H. 261, p. 293, 420, 3625.

PHARMACY—

Regulate the practice of and sale of poisons, H. 562, p. 813, 990, 1284, 1388, 3941, 4015, 4039; Do. S. 462, p. 3336, 3444.

PERRY COUNTY—

Authorize commissioners to make an appropriation to public schools, H. 809, p. 1559; Do. S. 332, p. 1946, 2052, 2291, 2344.

Establish a dispensary in Uniontown, H. 1194, p. 2742, 2870, 3118, 3956, 4073; Do. repeal act, H. 645, p. 1048, 1473.

PERRY COUNTY—*Continued.*

- Establish dispensary in Marion, amend act, H. 1196, p. 2746, 2870, 3123, 3421, 3592, 4038; Do. repeal act, H. 646, p. 1049, 1474.
- Establish a dispensary at Marion and Uniontown, H. 644, p. 1046, 1473.
- Fix time of holding circuit court in, H. 787, p. 1542, 1753, 2028, 2040, 2262, 2298.
- Fixing salary of county superintendent of education, H. 808, p. 1558, 2864; Do. S. 333, p. 1947, 2054.
- Incorporate Marion, amend act, H. 807, p. 1557, 2789; Do. S. 322, p. 2349, 2864.
- Increase the compensation of sheriff of, S. 583, p. 3608, 3766, 4073, 4121.
- Prohibit sale of liquor near Uniontown, repeal act, H. 657, 1109, 1474.
- Provide for election, to determine sale of liquor, H. 1197, p. 2747, 2868, 3124, 3412, 3881, 3895.
- Public roads and bridges, provide for construction of, H. 1280, p. 2922, 3547.
- State declining to accept certain property in Marion, H. 691, p. 1223, 1441; Do. H. 760, p. 1462, 1658; Do. S. 289, p. 1716, 1759, 2015, 2091.

PICKENS COUNTY—

- Authorize Gordo to buy and sell liquor, H. 571, p. 817, 1756, 2643.
- Commissioners to set apart money to pay witnesses, H. 551, p. 808, 1570, 2629, 2793, 3252, 3273.
- Extend corporate limits of Carrollton, H. 866, p. 2066, 2787, 3157, 3424, 3879, 3891.
- Provide for working public roads in, H. 799, p. 1549, 1657, 2019, 2277, 2301.

PICTURES—

- Prevent exhibition of plays or of train robbery, H. 759, p. 1462, 1566.
- Prohibit the display of nude, H. 218, p. 270, 386, 1498, 1590, 4146, 4235.

PIGEONS—

Prevent the shooting of, H. 778, p. 1534, 1659, 2886, 2958.

PIKE COUNTY—

Define the boundary lines of Spring Hill school district, repeal act, H. 1004, p. 2501, 2786, 3050, 3407, 3779, 3786.

Prevent the sale of liquors in, as to Troy and Brundidge, H. 410, p. 496, 599, 903, 905, 1071, 1576, 1706; Do. H. 411, p. 506, 599, 1084, 1304, 1576, 1706.

Provide for working public roads of, H. 839, p. 1771, 1855, 2634, 2809, 3253, 3289.

PILOTAGE—

On vessels crossing outer bar of Mobile bay, compulsory, H. 1322, p. 3080, 3221, 3439, 3709, 3714.

PITTS, A. D. (Dallas.)—

Bills by: H. 103-4, p. 193; 185, p. 249; 288, p. 349; 427, p. 554; 461-2-3, p. 634-5; 517, p. 686; 573, p. 891; 600, p. 951; 650, p. 1101; 674, p. 1160, 1108.

Resolutions by: p. 776, 868, 2883.

PITTS, WM. L., SR.—

Bills by: H. 258-9, p. 293; 516, p. 685; 558, p. 813; 644, p. 1046; 645, p. 1048; 646, p. 1049; 657, p. 1109; 1003, p. 2500; 1108, p. 2674; 1172-3, p. 2728; 1194, p. 2742; 1197, p. 2747; 1277-1280, p. 2922.

Resolutions by: p. 396, 573, 1198, 1891, 1925, 2317, 2887, 3457, 3594, 3693, 3771.

POLL TAX (See *Taxes and Taxation*.)—

Fix time for payment of, S. 454, p. 3943, 4030.

POWELE, N. B. (Bullock.)—

Bills by: H. 351, p. 426; 447, p. 615; 894, p. 2393; 895, p. 2393; 1076, p. 2584; 1191, p. 2740; 1267, p. 2907; 1268, p. 2908.

POWELL, A. R. (Covington.)—

Bills by: H. 95, p. 186; 455, p. 629; 456, p. 632; 1152, p. 2711; 1153-4-5, p. 2712; 1315, p. 3073.

POWER, T. D.—

Bills by: H. 317-8-9, p. 367; 683-4, p. 1214; 722, p. 1330; 1141, p. 2707; 1142, p. 2708; 1143, p. 2709; 1208, p. 2752; 1392, p. 3656.

Resolution by: p. 2380.

PRATT, J. M.—

Bills by: H. 551, p. 808; 571, p. 817; 799, p. 1549; 886, p. 2066; 1281, p. 2924; 1290, p. 2927.

PRICE, W. J.—

Bills by: H. 336, p. 371; 1009, p. 2516; 1010, p. 2517; 1175, p. 2728.

PRIVILEGES OF THE FLOOR—

To whom extended: Pages 250, 255, 407, 712, 913, 977, 1024, 1091-2, 1144, 1361, 1368, 1388, 1445, 1511, 1525, 1835, 1736, 1846, 1888, 1918, 2037, 2074, 2191, 2311, 2375, 2613, 2620, 2645, 2851, 2964, 3062, 3113, 3377, 3446, 3462, 3547, 3601, 3628, 3645, 3682, 3717, 3805, 3847, 3884, 3916, 4088, 4119, 4224.

PROBATE JUDGES—

Authorize to correct errors in descriptions of lands sold, H. 549, p. 934, 1430.

Fixing fees for recording wills, deeds, etc., H. 208, p. 261, 918.

Prohibit from cancelling mortgages, H. 1157, p. 2713, 2858.

PROCEEDS (See *State Auditor.*)—

PRODUCE, COUNTRY—

Prevent discrimination in the sale of, H. 680, p. 1212, 1574.

PROHIBITION (See *Liquor.*)—

PROTEST—

By Mr. Tunstall, against ruling of speaker, pro tempore, as to, H. 769, p. 2074.

By Mr. Hoffman, as to passage of, S. 592, p. 3870.

By Mr. Hoffman, as to spreading on Journal, report of Code Committee, p. 4244.

PUBLIC SCHOOLS (See *Schools and Colleges.*)—

PUBLIC HEALTH—

Enforcement of laws relating to, amend act, H. 812, p. 1651,
1759, 2118, 4064, 4108; Do. S. 529, p. 3805, 3887, 4225,
4252.

Reconstructed laws relating to, amend act, H. 1124, p. 2701,
2865.

PUBLIC ROADS AND BRIDGES—

Construction and maintenance of, H. 1278, p. 2922, 3381, 3845,
3922, 3927, 4232, 4251; Do. amended, H. 1395, p. 3769,
3886; Do. H. 642, p. 1045, 1211.

For the improvement of, H. 59, p. 79, 613.

Persons, firms and corporations required to furnish list to
overseers, H. 12, p. 58.

Provide for better drainage of, H. 1254, p. 2902.

Provide for and regulate working of, H. 267, p. 305.

Provide for payment of costs of construction, when boundary
lines are changed, H. 77, p. 169, 917.

Regulate the securing of certificate, which exempts from road
duty, H. 548, p. 805, 1098.

PUGH, ISAAC—

Bills by: H. 87, p. 182; 191-2, p. 257; 193-4-5-6, p. 258; 86, p.
181; 209, p. 261; 630, p. 1034; 648, p. 1100; 693, p. 1265;
1099, p. 2662; 1393, p. 3656.

QUARANTINE—

Dissolve, board of Mobile bay: H. 879, p. 2319; 2788, 2979,
3407, 3880, 3890.

Provide a system of, amend act, H. 1127, p. 2702, 2865, 3898,
4230, 4249.

Sale and transfer of site and plant at Mobile, S. 141, p. 874,
1024, 1098, 1181, 1225.

RAGSDALE, M. C.—

Bills by: H. 494, p. 661; 495-6, p. 662; 548, p. 805; 549, p. 806;
550, p. 806; 697, p. 1266; 721, p. 1328; 784-5, p. 1535;
936-7-8, p. 2444; 1067, p. 2578; 1068, p. 2580; 1124-5-6, p.
2701; 1127, p. 2702.

Resolutions by: p. 1640, 2049, 2885, 3594.

RAINER, S. P.—

Bills by: H. 350, p. 425; 524, p. 552; 448, p. 615; 1190, p. 2739.

RAIROADS—

As to disposition of stock killed by, H. 647, p. 1050, 1096.

Companies to furnish cars, H. 272, p. 332.

Conferring right to acquire lands, for depots, etc. H. 737, p. 1340, 1564; Do. S. 310, p. 1965, 2053, 2155, 2187.

Depot agent to keep in waiting room a bulletin board showing when delayed trans will arrive, S. 273, p. 3682, 4092.

Depot agent to keep water closet, etc. S. 280, p. 4080, 4091.

Excess baggage, regulate charges on, H. 877, p. 2318; Do. S. 330, p. 1803, 1928, 2312.

Make rates of freight, in force Pan. 1907, maximum rates, amend act, H. 1284, p. 2924.

Maintain safe crossings across private and plantation roads, H. 768, p. 1467.

Make the present rates of freight and fare, maximum rates, H. 403, p. 492; Do. So. 15, p. 733, 779, 955, 957, 1000.

Manner in which, may contest fairness of rates, S. 17, p. 1684, 1754, 2142, 2239.

Maximum rates, fix transportation of certain articles, S. 16, p. 1059; 1097, 1163, 1208, 1257, 1391, 1636, 1965.

Operating sleeping and dining cars, to provide separate accommodations for white and colored, H. 457, p. 632, 779.

Permit to transport Confederate veterans at reduced rates, H. 814, p. 1652, 2881.

Prescribe and regulate rates on, S. 5, p. 547, 609, 823, 1116, 1225.

Prescribe damages for injury to property, by, H. 1058, p. 2566, 4092.

Prescribe rules relating to demurrage, etc., amend act, H. 1285, p. 2924; Do. H. 1342, p. 3232, 3378, 3904, 4232, 4250.

Prevent from charging greater rate than that established by statute, S. 18, p. 873, 1096, 1394, 1591, 1746, 1961.

Prohibit the running of freight trains on Sunday, H. 781, p. 1535, 2052, 3111.

Prescribe measure of damages for loss, etc., by, S. 2, p. 733, 779, 959, 960, 982, 1074.

RAILROADS—Continued.

- Provide for appointment of policemen by, H. 706, p. 1272.
- Prohibit having pay days and running pay trains, S. 538, p. 3805, 4091.
- Reduce passenger rates on, H. 152, p. 226, 613.
- Regulations relating to demurrage, etc. H. 665, p. 1114, 1211, 1397, 1480, 1819, 1959.
- Required to publish arrival and departure of trains, H. 537, p. 790, 1212.
- Revocation of license in certain cases, S. 219, p. 1725, 1754, 2143, 2187, 2274, 2342.
- To secure reasonable rates, etc., S. 43, p. 1294, 1308, 1392, 1591; Do. S. 399, p. 3591, 3652, 4130, 4193.
- Unlawful to operate engine without electric headlight, H. 1294, p. 2930, 3378.

RAILROAD COMMISSION—

- Authorize to prescribe rules, etc., for the issuance of interchangeable mileage tickets, S. 106, p. 874, 1096, 1396, 1591, 1749, 1961; Do. H. 728, p. 1535, 2052.
- Authorized to change any rule relating to demurrage, etc., H. 1343, p. 3233, 3378, 3905, 4231, 4238.
- Create, define its duties, etc., S. 44, p. 1294, 1308, 1393; Do. amended, S. 520, p. 3342, 3378, 4132, 4146, 4194.
- Further define the powers and duties of H. 1332, p. 3226, 3378; Do. S. 398, p. 3591, 3652, 4129, 4193.
- Regulate charges on excess baggage, H. 783, p. 1535.
- Required to make rates for carriage of freight, etc., H. 804, p. 1555.

RANDOLPH COUNTY—

- Authorize Roanoke to operate a dispensary, H. 867, p. 2067, 2791; Do. repeal act, S. 396, p. 3102, 3226, 3498, 3590, 3683.
- Establish charter for Wedowee, amend act, S. 395, p. 3101, 3652, 3866, 3920.
- Fix time of holding circuit court in, S. 233, p. 1205, 1428, 2634, 2809.
- Fix boundary line between Cleburne and, S. 397, p. 3098, 3379, 3640, 3706.
- Regulate the sale of liquor in Roanoke, repeal act, S. 400, p. 3100, 3222, 3500, 3683.

RATTRAY, CHARLES—

Bills by: H. 280, p. 335; 647, p. 1427; 872, p. 2240; 1100, p. 2262.

Resolutions by: p. 166, 2075, 2649.

RECEIPTS—

Require giving of, by railroads, S. 434, p. 1949, 2873, 4127, 4194.

RECEIVERS—

Payment of premiums to surety companies for board of, H. 484, p. 658, 1563.

RELIEF—

Angle, J. W., H. 1092, p. 2658, 2872, 3144, 3425, 4233, 4237.

Abernathy, J. W. T., H. 1215, p. 2757, 3548, 3741, 3791.

Abercrombie & Co., Chas. G., S. 562, p. 3720, 3765, 4080, 4162, 4212.

Boylan, Annie W., H. 986, p. 2488, 3072.

Baker, J. S., H. 1022, p. 2531, 2786, 3055, 3281, 3877, 3889.

Brannan, D. F., H. 675, p. 1160, 1435, 2023, 3253, 3274.

Brannan, Henry, H. 1080, p. 2586, 3215.

Burton, J. W., H. 1304, p. 2938, 3072.

Brooks, A. J., H. 1369, p. 3385, 3547, 3857, 4040, 4072.

Ballow, J. T., S. 619, p. 3707, 3765, 4163, 4212.

Bonner, Jno. S., S. 571, p. 3725, 3765, 3980, 4014, 4054.

Bassett, Chas. and Gus, et al., S. 559, p. 3949, 4119.

Cobb, L. W., H. 713, p. 1283, 1929, 2843, 3773, 3790.

Cobb, J. M. and W. J. Taylor, H. 693, p. 1265, 1436.

Crow, J. D., H. 165, p. 240, 419, 845, 909, 1580, 1586.

Clemmons William H., H. 415, p. 516, 580, 780, 1020, 1137, 1644, 1705.

Cowan, Marvin, H. 166, p. 2721, 3215.

Cobb, J. M. and W. J. Taylor, S. 297, p. 1722, 1758, 2005, 2091.

Dunn, T. H., et al., H. 1227, p. 2766, 3215, 3488, 3592.

East, T. J., H. 1007, p. 2502, 2786, 2981, 3281.

Evans, W. C., H. 1291, p. 2927, 3065, 3355, 3419, 4019, 4105.

Frederick, H., H. 1110, p. 2674, 2872, 3163, 3415, 3780, 3789.

Gibson, C. R. and Irby Moody, H. 1005, p. 2502, 2872.

Galloway, Mary A., H. 1012, p. 2518, 2786, 3053, 3281, 4041, 4106.

RELIEF—Continued.

Guthrie, D. I., H. 497, p. 662, 2000, 2040, 3572, 3602.

Humble, Mrs. Leanna J., H. 827, p. 1762, 2054, 2292, 3107, 3120.

Heard, A. A. and Mary A. Pope, H. 149, p. 224, 419, 2006, 2039, 2338, 2341.

Jones, Cynus, Jr., H. 654, p. 1102, 1567, 2015, 2040, 2270, 2298.

Jackson, Beverly, alias Beverly Green, H. 531, p. 786, 3067, 3493, 3617, 3879, 3891.

Jones, Mrs. M. A., H. 1214, p. 2756, 3215, 3487, 3592, 3881, 3895.

Logan, S. D., S. 244, p. 1715, 3072.

Moore, J. S., H. 707, p. 1272, 2059.

Marler, Mary, et al., H. 1104, p. 2669, 3215, 3592, 3943, 4038.

Morrison Mrs. Catherine, H. 1269, p. 2909, 3065, 3347, 3414, 3879, 3890.

Milford, John H., 1356, p. 3240, 3379, 3638, 3674, 4020, 4105.

Pope, Mary A., H. 667, p. 114, 1568, 1840, 1920, 2181, 2259.

Pippin, E., H. 648, p. 1100, 1210, 1378, 1388, 1643, 1705.

Prowell, Samuel P., H. 1146, p. 2710, 3768.

Rivers, Phena, H. 1118, p. 2694.

Singleton, W. A. and B. G., S. 250, p. 1721, 1754, 2017, 2090.

Swindle, J. W., et al., H. 875, p. 2226, 2786, 3057, 3416.

Stevenson, John E., T. 575, p. 892, 917, 1520, 1590, 4017, 4038.

Smith, Taylor, H. 588, p. 930, 3557.

Scott, Major David M., H. 185, p. 249, 600, 2883, 3506, 4017, 4039.

Southerland, T. P., H. 1040, p. 2546, 2771, 3165, 3425, 3879, 3890.

Smith, J. L., S. 401, ~~p. 3096~~ 3216, 3639, 3706

Smyley, Mrs. M. J., S. 548, p. 3607, 3651, 3867, 3922.

Smith, T. W., H. 1228, p. 2887, 3065, 3482, 3592, 3877, 3890.

Vernon, Mrs. Mary Jane, T. 1183, p. 2736, 2872, 3150, 3417, 3877, 3895.

Walter Cotter Co., H. 985, p. 2487, 3064, 3520, 3593, 3879, 3890.

Whitehead, L. D., H. 1286, p. 2925, 3557, 4058.

Worthy, B. H., H. 1356, p. 3244, 3548, 3732, 3790.

Webb, J. C. Jr. and J. T. Ballow, S. 620, p. 3708, 3765, 4163, 4212.

RENT—

Regulate payment of, upon premises destroyed by fire, H. 298,
p. 354, 1095.

RESOLUTIONS—

Accepting invitation of Senator J. F. Johnston, p. 4173.
Aid and encourage technical education, p. 330.
Amend Rules, p. 167, 288, 415, 595, 1146, 1178, 1195, 1225, 2368.
Appointment of committee to assign sets, p. 6.
Appointment of guards to capitol by Governor, as to, p. 55.
As to the negro problem, p. 919.
As to adjournment, p. 1292, 2379.
Associate Judge of city court of Anniston, joint session to
elect, p. 1638.
Bills not to go to persons not entitled to have possession of
them, p. 1197, 1252.
Ceiling fans, as to, p. 2383.
Clerk of House, etc., be allowed four weeks to finish work,
p. 4199.
Clerk of House have printed on calendar names of author
of bill, p. 1306, 1477.
Clerk of House held free from fault, as to, S. 16, p. 1176.
Commending citizens for efforts to secure sub-treasury, p.
168, 316.
Committee to prepare general revenue bill, appointment of,
p. 330.
Committees making adverse report on bills, as to, p. 330, 540.
Committees on preparation of revenue code bill, to employ
clerk, p. 416, 541.
Committees to investigate combination between cotton seed
oil mills, p. 2317, 2854.
Committees to meet and determine which bills are of most
importance, p. 2852.
Constitutionality of H. 614, as to, p. 1640.
Death of Mrs. James Armstrong, as to, p. 414.
Designating hours for committee meetings, p. 1305.
Doorkeeper authorized to employ detective, p. 331, 540.
Doorkeeper to furnish members with code, etc., p. 50.
Duties of officers and clerks, as to, p. 164.
Doorkeeper authorized to purchase or rent typewriters, p. 733.

RESOLUTIONS—*Continued.*

Endorsing action of President Roosevelt, in dismissing colored troops, p. 166, 422.

Ex-Governors, privileges of floor extended to, p. 255.

Election of United States Senator, as to, p. 4112.

Governor requested to set apart room for Speaker and Rules Committee, p. 395.

H. 211 be referred to committee on public printing, p. 286.

Instructing doorkeeper to buy or lease self winding clock, p. 167.

Invitation to attend Mardi Gras at Mobile, as to, p. 415, 540.

Instructing doorkeeper to purchase annotated Constitutions, p. 166.

Joint convention to pay tribute to Hon. W. L. Martin, p. 2649.

Joint committee to examine H. 58 and substitute and S. 122 and 123, p. 2122 2150.

Ladies of Dexter Avenue M. E. Church permitted to serve lunch in lobby, p. 1146, 1195, 1225.

Limiting speeches to three minutes, p. 2317.

Local bills introduced, as to, p. 50.

Members may call up general bill in afternoon, p. 594, 1100.

Members may call up bills when roll of counties is called, p. 3122.

Of respect to Hon. Wm. L. Martin, p. 2314, 2846.

Payment of servants who waited on Code committee, p. 3917.

Petitioning congress to return cotton tax, p. 167, 423, 708, 775.

Petitioning congress, as to dealing in futures, p. 776, 1154.

Providing for vote for United States Senator, p. 163-4.

Printing Governor's message, as to, p. 50.

Regulate the introduction and engrossing of bills, p. 2382.

Relative to appointment of committee to prepare amendments to mining laws, p. 3888, 3897, 3914, 3920.

Requesting Senate to return H. 595, p. 1854.

Requesting Senate to return H. 988, 989, and 993, p. 3820.

Requesting Senate to return H. 229, for correction, p. 3898. 3902.

Requesting Senate to return H. 189, p. 1924, 2037, 2125.

Requesting Governor to return H. 924, p. 3916, 3951.

Requesting Governor to pay funeral expenses of Hon. Wm. L. L. Martin, p. 2317, 2854.

RESOLUTIONS—*Continued.*

- Revenue bill, committee to ascertain when will be reported, p. 287.
- Rule 22, as amended, be amended, p. 331, 572.
- Rules of House ordered printed, p. 573.
- Salaries of clerks and employes at Capitol, as to, p. 254, 775.
- Senate notified of permanent organization, p. 17.
- Soldier's Home, committee to visit, p. 396, 572.
- Speaker appointed member of committee to read new code, p. 1892, 2317.
- Secretary of State relieved of liability for loss of codes and acts, p. 2050.
- Speaker pro tem., as to power of, p. 2295.
- State Game and Fish Com., joint session to elect, p. 1638.
- Supt of Education designate one day each year as "Bird Day," p. 2884.
- Temporary Rules of House, as to, p. 6.
- That 2d Subd. of rule 27, be transposed, etc., p. 329, 394.
- That rule 22 be amended, as to clerks, 330.
- That General Stephen D. Lee, be invited to address the Legislature, p. 395, 396, 403.
- That all bills be engrossed or enrolled upon typewriter, p. 395, 423.
- That no appro. be made until appro. are made to Deaf and Dumb, and Insane Institutions, p. 573.
- Time of meeting, as to, p. 593, 984, 1100, 2382, 2383, 2886.
- That clerk, etc., refuse to allow bill out of their possession, p. 839.
- That full title be written on reverse side of last page and bear signature of author of bill, p. 869, 962.
- That rule 16 be amended, p. 2612.
- That clerk be allowed Com. on Counties and County Boundaries, p. 2646.
- That members of House and Senate attend funeral of Sen. Pettus, p. 3822.
- Thanking Hon. A. H. Carmichael, speaker, p. 2372.
- Thanking Hon. C. B. Brown, for efficient services, p. 2372.
- To procure ministers to open sessions, p. 56.

RESOLUTIONS—*Continued.*

To employ accountant to examine books of Tuskegee Normal and Industrial Ins., p. 254.

That one-third of Com. shall constitute a quorum, p. 775, 1100.

When bill has been acted upon, chairman shall report without delay, p. 1527.

RESOLUTIONS, JOINT—

After 44th day, call of counties be suspended, etc., p. 2887.

Alabama Insane Hospital, investigation of charges against, p. 2381, 2808, 2812, 2841, 2987.

Ala. Boys' Industrial school, appointment of committee to visit, p. 835.

Appointing time for voting for U. S. Senator, p. 288-9, 317, 323.

Appointing William J. Chambers official photographer, p. 839.

Appropriation by Congress to Agricultural Experiment Station, as to, p. 2380, 2646.

As to printing bills, p. 416.

As to dividing present session, etc., p. 868, 962, 1363, 1478, 1478, 1638, 1640, 1659.

As to changing time of recess, p. 2297, 2309.

As to Senators Morgan and Pettus, p. 250.

As to adjournment, etc., p. 1255, 1447, 1741, 1883, 1926, 2809, 2811, 3117, 3275.

Authorizing Capitol Commission to construct elevator, p. 2369, 2854.

Committee to consider taking recess, p. 106.

Committee to examine office of Auditor-Treasurer, p. 106, 283.

Committee to consider how manuscript of new code shall be read, p. 251, 548.

Commission to report Joint Rules, p. 252.

Committee be appointed to receive Governor Haywood, p. 323.

Committee be appointed to visit Soldier's Home, p. 546.

Committee to prepare municipal corporation bill to complete 60 days before Legislature meets, p. 2269.

Committees selected to sit during recess shall draw same per diem, p. 2336.

Committee to inform Governor of permanent organization, p. 17.

RESOLUTIONS, JOINT—*Continued.*

- Committee to arrange for inauguration, appointing p. 18.
- Committee appointed to investigate salaries of State officers, etc., p. 415, 540.
- Committee to arrange for trip to Mardi Gras, p. 981, 1001, 1165.
- Committee raised to read manuscript of new code, shall consider legal status of "Swamp and Overflowed" lands, p. 2123, 2192.
- Committee on arrangements for funeral of Hon. W. L. Martin, p. 2304, 2309.
- Constitution of 1901, as to amendment, p. 3062.
- Directing Governor to employ accountant to examine books of Tuskegee Normal Inst., p. 254, 316.
- Election of U. S. Senator, as to p. 2885, 2974, 2950, 3108, 3821.
- Endorsing bill by Hon. J. T. Heflin, as to cotton tax, p. 3770.
- Endorsing action of Gov. B. B. Comer, p. 4171.
- Enforcement of Sec. 3239, revised statutes of U. S., p. 4175, 4213, 4238.
- Expenses of Joint Com. be paid out of Legislative expenses, p. 2222, 2298.
- Extending thanks to Commercial Club and Carnival Association of Mobile, p. 1254.
- Fish hatchery for Alabama, as to, p. 2615, 2809, 2379, 2778.
- For payment of mileage to representatives from Houston, p. 1926.
- General E. W. Pettus, as to death of, p. 3831, 3840.
- Governor requested to ascertain if copyright of Supreme court reports has been infringed, p. 2381, 2777.
- Gov. Haywood, of South Carolina, be invited to address the Legislature, p. 317.
- Hold joint convention, to elect two judges of city court of Birmingham, p. 1927, 2038, 2087.
- Hon. W. L. Martin, as to death of, p. 2618, 2844.
- Instructing Senators and Representatives in Congress to have money appropriated to open Cahaba river to navigation, p. 3456, 3798, 3842.
- Interstate shipment of liquor, as to, p. 4175, 4213, 4238.
- Invitation to Dr. T. S. Palmer, to address the Legislature, p. 54.

RESOLUTIONS, JOINT—*Continued.*

Joint Convention to ascertain result of election for State officers, p. 17.

Joint session to hear address of Hon. E. B. Smith, p. 1295, 1927, 1940.

Member shall not speak more than 10 minutes, p. 2887.

Memorial of Joseph W. Plume, receiver, p. 2193.

Memorializing Congress, as to liquor licenses, p. 546, 611.

Port of Mobile, as to p. 4090, 4200.

Pres. and Speaker shall give employee certificate, showing amount of compensation, p. 587.

Requesting Governor to return H. 610, p. 2369.

Requesting Governor to return H. 96, p. 1740.

Returning Governor to return H. 70, p. 1198, 1260.

Requesting Governor to return, H. 306, p. 3647.

Requesting Governor to return S. 332, p. 2812.

Requesting Governor to return H. 810, p. 3442, 3455.

Requesting Governor to return H. 133, p. 4089.

Requesting erasure of signatures from, H. 70, p. 1291, 1292.

Requesting erasure of signatures from H. 935, p. 3694.

Requesting erasure of signatures from H. 810 p., 3540, 3601.

Requesting erasure of signatures from H. 269, p. 868, 870.

Requesting erasure of signatures from H. 133, p. 4115.

Requesting erasure of signatures from H. 610, p. 2371.

Requesting Governor to erase signature from H. 608, p. 4077.

Requesting Senate to return H. 888, p. 3024.

Robert E. Lee, anniversary of birth of, as to, p. 283, 288.

Secretary of State to have acts of first session published, p. 1889, 1925.

Secretary of State to preserve 25 copies of Code of 1896, and sell others, p. 3694, 3769.

Secretary of State to distribute to members of Constitutional convention of 1901, set of Code of 1907, p. 3694.

Senate Committee on Engrossed and Enrolled bills to employ clerk, p. 870.

Shooting doves, as to p. 4044.

Sympathy of House tendered to Speaker Martin, p. 2194.

Thanks to Commercial Club of Mobile, p. 963.

Thanking Dr. Spratling of Soyner, N. Y., for offering site for epileptic colony, p. 4202.

RESOLUTIONS, JOINT—*Continued.*

That Governor should have examined, all departments of State, which have not been examined in the last year, p. 3770.

That a calendar of bills of a general character be prepared, p. 3771.

That invitation to visit Mobile, be accepted, p. 868, 962.

That no officer or clerk shall employ assistant without written consent of Pres. or Speaker, p. 589, 595.

Time of meeting and adjourning, p. 416.

Trust among manufacturers of fertilizers, as to, p. 2129, 2188, 2345.

To establish a commission to make an investigation into the status of State schools, etc., p. 3540.

Upon approval of municipal code bill, Secretary of State to have copies printed, p. 3695, 3798, 3842.

RESTAURANT (See *Hotels.*)

REVENUE LAW.

Amend act, to further amend, H. 887, p. 2385, 2775; Do. H. 1211, p. 2754, 2878, 3296, 3604, 3658.

Better provide for, H. 337, p. 371; H. 919, p. 2420, 2788; Do. amended, H. 1117 p. 2693, 2878.

Better provide for, repeal Subd. 84 1-2, H. 527, p. 784, 878, 3817; Do. amended Sec. 3915 of Code as amended, H. 1205, p. 2752, 3068, 3276, 3603, 3658.

To further amend, H. 610, p. 955, 1473, 1684, 1726, 1743, 2241, 2256, 2355, 2368, 2373; Do. H. 943, p. 2449; Do. H. 1151, p. 2711, 2878, 3293; Do. H. 1154, p. 2712, 2878, 3604, 3658, 3940; Do. H. 1189, p. 2739, 2878, 3293, 3604, 3658.

To further amend, repeal Sec. 22, H. 1028, p. 2533, 2784, 3657, 4082, 4106; Do. Sec. 9, H. 1056, p. 2566, 2788; Do. Sec. 7, H. 1060, p. 2571, 2788; Sec. 9, H. 1096, p. 2661, 2862.

To provide a general, H. 506, p. 671, 1476.

RICE, FLEETWOOD—

Bills by: H. 343, p. 381; 344, p. 381; 416, p. 517; 417-8, p. 518; 419, p. 521; 564, p. 813; 570, p. 817; 608, p. 954; 766, p. 1465; 767, p. 1466; 840, p. 1775; 841, p. 1776; 1181, p. 2736; 1382, p. 3394; 1391, p. 3658.

ROADS AND BRIDGES (See *Public Roads and Bridges.*)

POWELL, A. R.—

Resolution by: p. 3540.

ROWE, N. M.—

Bills by: H. 142, p. 224; 143, p. 224; 220, p. 270; 396, p. 485;
699, p. 1269; 803, p. 1555.

Resolutions by: p. 985, 2886.

RULES—

Amendment to 18, p. 4629.

Of the House, p. 109.

Joint, of two houses, p. 255, 287.

Mr. Foster, appointed on Committee on p. 2909.

RUSHTON, M. W.—

Bills by: H. 1 to 7, p. 56-7; 203-4, p. 259; 243, p. 291; 285-6, p. 345; 287, p. 348; 358-9, p. 428; 360, p. 428; 426, p. 553; 457, p. 632; 537, p. 790; 626-7-8-9, p. 1034; 649, p. 1101; 737-8-9, p. 1415; 769, p. 1468; 821-2-3, p. 1653; 824, p. 1654; 859, p. 2063; 908, p. 2405; 909, 910-1-2, p. 2406; 1104, p. 2669; 1105, p. 2671; 1106, p. 2673; 1202, p. 2751; 1233, p. 2890; 1234, p. 2890; 1302, p. 2937; 1341, p. 3230; 1374, p. 3389; 1390, p. 3561.

Resolutions by: p. 2075, 2648, 3648, 3719.

RUSSELL COUNTY—

Authorize to borrow money, H. 1009, p. 2516, 2787, 3156, 3414,
3779, 3786.

Confirm acts and contracts of Commissioners of, H. 1010, p. 2517, 2787, 3167, 3408, 3779, 3786.

SALARIES—

Chancellors, circuit judges, etc., to fix, H. 379, p. 463, 575, 1296, 1304, 1951, 1966, 2077.

Chancellor of Southwestern Div., to fix, H. 980, p. 2483, 2776, 3020, 3414; Do. S. 474, p. 3185, 3221, 3534, 3683.

City officers, to fix and provide for, H. 491, p. 660, 916.

Judges of law and equity courts, provide for payment of, S. 157, p. 1205, 1307, 1412, 1448, 1636; H. 1145, p. 2709, 2879.

SALARIES—*Continued.*

Judge of Tenth Judicial Circuit, to fix, H. 831, p. 1766, 2051, 2170, 2305, 2316.

Judge of Thirteenth Judicial Circuit, to fix, H. 979, p. 2482, 2776, 3002, 3414; S. 475, p. 3186, 3221, 3535, 3683.

Judge of City Court of Montgomery, to fix, H. 984, p. 2486, 3351, 3424, 4149, 4238.

Probate Judges, sheriffs, clerks, etc., to fix, H. 853, p. 1931, 3065; Do. H. 122, p. 203, 877, 1371, 1505.

Prohibiting public official from accepting increase of, during term of office, H. 169, p. 243, 314.

State Chaplains and assistants, to fix, H. 800, p. 1555, 1657.

SAMPLE, JOHN R.—

Bills by: H. 332, p. 371; 557, p. 810; 604, p. 952; 998, p. 2497; 1000, p. 2498; 1001, p. 2499; 1002, p. 2500; 1167-8, p. 2722; 1169, p. 2724; 1170, p. 2725; 1171, p. 2727; 1276, p. 2921; 1367, p. 3246; 1394, p. 3656.

Resolution by: p. 3286.

SANATORIUM, STATE—

Establishment of, for treatment of tuberculosis, H. 33, p. 61, 1570, p. 2382; Do. S. 347, p. 3676, 3764, 4134, 4146, 4193.

SANDERS, J. T.—

Bills by: H. 170, p. 243; 524, p. 783; 525, p. 783; 1174, p. 2728.

SANFORD, J. B.—

Bills by: H. 51, p. 76; 52, p. 78; 53 to 56, p. 79; 176, p. 240; 413-4, p. 516; 761, p. 1463; 1020, p. 2530.

Resolution by: p. 330.

SCHOOLS AND COLLEGES—

Appropriate proceeds from sale of fertilizer tags, for support of free, H. 199, p. 258, 389.

Ala. Industrial School for white boys, authorize to acquire real estate, S. 511, p. 3304, 3648.

Ala. Industrial School for white boys, further direct the expenditure of money appropriated for, S. 613, p. 3946, 4029.

SCHOOLS AND COLLEGES—*Continued.*

Authorize district trustees to condemn lands for use of public, H. 1163, p. 2718, 2859.

Classify the public, H. 365, p. 434, 596, 1896.

Establish uniform system for examination and licensing of teachers, H. 181, p. 248, 919.

Establish reform school for colored boys, H. 945, p. 2449, 3767.

Fix minimum length of term of public, H. 189, p. 257, 312, 1894.

For the benefit of common, H. 1325, p. 2081, 3649.

Prescribe qualifications of county superintendent, H. 1328, p. 3084, 3649, 3906.

Prevent negro children from attending white, H. 1266, 2907, 3218.

Provide for redistricting, amend act, H. 236, p. 280, 419; Do. H. 692, p. 1265, 1308, 1898, 2335, 2361, 2848, 2854; Do. H. 962, p. 2463, 2789.

Provide for more efficient supervision of public, H. 582, p. 920, 1029, 2803, 2948; Do. H. 1311, p. 2946, 3218.

Provide for establishment of high, H. 872, p. 2224, 2785; S. 384, p. 3682, 3767, 4096, 4125, 4143, 4228.

Provide for redistricting public, repeal secs. H. 97, p. 188, 1099.

Regulate management of Agricultural school and Experiment station, amend act, H. 225, p. 273, 780, 1233, 1818.

State Normal, for colored students, provide for maintenance of, H. 555, p. 810, 1435, 3815.

State Normal, at Jacksonville, directors authorized to sell certain house and lot, H. 1229, p. 2888, 3218, 3487, 3592, 3875, 3892.

Tuskegee Normal and Industrial Institute, amend act, to incorporate, H. 724, p. 1330, 1390, 2883, 3629, 3727.

SEAL—

Establish for Alabama, H. 1306, p. 2940, 3224.

SECRETARY OF STATE—

Authorized to employ stenographer, H. 357, p. 428, 550, 826, 1070, 1118.

SHERIFFS (See Courts.)

Allow and fix fees of H. 830, p. 1766, 2062.

Fix and determine the term of office of, H. 140, p. 223, 608.

Insufficient sureties on bonds of, whom liable for, H. 247, p. 291, 418.

Provide for payment of, for waiting on courts, M. 1011, p. 2518, 2879.

Provide for and regulate salaries of, H. 121, p. 203.

Regulate fees of, for feeding prisoners, H. 1249, p. 2901, 3063, 4006; 4063, 4195, 4201, 4244, 4249, 4251.

Required to execute attachments, etc., on witnesses in adjoining counties, H. 91, p. 185, 608.

Required to procure from U. S. Int. Revenue Collector, list of liquor licenses, H. 552, p. 809, 1432, 2287, 4159, 4234.

SHERROD, C. M.—

Bills by: H. 41, p. 62; 135, p. 216; 552, p. 809; 575, p. 892; 603, p. 952; 682, p. 1213; 836, p. 1769; 959, p. 2462; 877, p. 2318; 1250-1, p. 2901; 1252, p. 2902; 1325, p. 3081; 1336-7, p. 3228.

Resolutions by: p. 166, 606, 1099, 1924, 2050, 2124, 2886.

SHELBY COUNTY—

Authorize mayor and council of Vincent to operate a dispensary, H. 640, p. 1042, 2057.

Change boundary line of Wilsonville, H. 705, p. 1271, 1437, 2635, 2793, 3254, 3274.

Change line between Jefferson and, H. 1241, p. 2897.

Establish charter for Vincent, amend act, H. 1015, p. 2521, 2791.

Prescribe manner of electing commissioners, repeal sec. 4 of act, H. 1014, p. 2520, 2883.

Provide for payment of State examiner, H. 1013, p. 2519, 3064, 3345, 3421, 3779, 3842.

SLEEPING CARS (See Railroads.)**SMITH, L. C., (Elmore.)—**

Bills by: H. 8, 9, p. 57; 206, p. 260; 428, p. 554; 464, p. 635; 563, p. 813; 592, p. 933; 641-2, p. 1045; 745, p. 1420; 746, p. 1421; 856, p. 1933; 1081, p. 2586; 920, p. 2420.

Resolutions by: p. 1446, 1527, 1926, 2649.

SMITH, H. P. (Etowah)—

Bills by: H. 362, p. 432; 590-1, p. 933; 1128, p. 2702; 1247, p. 2901.

SMITH, BEN H. (Franklin)—

Bills by: H. 246, p. 291; 367, p. 443; 368, p. 444; 466, p. 636; 539, p. 792; 748, p. 1427; 1078, p. 2585; 1111-2, p. 2675; 1236-7, p. 2891.

SMITH, R. C. (Lee)—

Bills by: H. 136, p. 216; 137, p. 218; 138, p. 220; 139, p. 222; 248, p. 291; 249, 250, p. 291; 499, p. 666; 500, p. 667; 670, p. 1157; 671, p. 1158; 871, p. 2141; 960, p. 2463; 961-2, p. 2463; 963, p. 2464; 964, p. 2465; 1253, p. 2902; 1300, p. 2935; 1350, p. 3239; 1353, p. 3239.

Resolutions by: p. 330, 1197, 1252.

SMOKING—

Prohibited in certain places, H. 72, p. 91, 422.

SOCIETIES, SECRET (See *Fraternities*).—

SOILS—

Survey, analysis, and clasification of, provide for, H. 421, p. 527, 1309, 2807, 2854, 4046, 4109.

SOLICITORS—

Fix fees for convictions for violating prohibition acts, H. 197, p. 258, 914.

Prescribe the duties of deputy, H. 893, p. 2392, 2777, 4061.

Prohibit from defending parties charged with criminal offenses, H. 193, p. 257, 613.

Requiring county, or deputy, to assist circuit, H. 195, p. 257, 613.

Required to keep books, in which witness are to be entered. H. 196, p. 258, 613.

STATE AUDITOR—

Authorized to have tags prepared for fertilizer tags, in smaller denominations than 3 cents, H. 572, p. 823, 877.

Authorize to employ a stenographer, H. 578, p. 893, 1210.

Authorize to restore Confederate pensioners to list, etc., S. 570, p. 3946, 4095, 4183, 4213.

Disposition of proceeds from railroad to have rates annulled, S. 242, p. 1802, 1928.

General book-keeper, compensation of, H. 410, p. 491, 780.

ST. CLAIR COUNTY—

Authorizing Pell City to establish a dispensary, H. 50, p. 68, 610, 853, 910, 1921, 2077.

Detach precinct 9 from Southern and attach to Northern judicial division, H. 774, p. 1470, 1565, 2623, 2793, 3253, 3257.

Divide into two chancery districts, H. 876, p. 2228, 2775, 3015, 3280, 3780, 3843.

Establish dispensary in Ragland, repeal act, H. 1016, p. 2522, 2780, 3030, 3778, 3789.

Provide for holding circuit court in, etc., H. 49, p. 63, 386, 845, 889, 1576, 1585.

Provide for holding regular terms of county court at Ashville and Pell City, H. 262, p. 293, 574, 1140, 1207, 1577, 1587.

Provide for holding regular term of commissioners' court at Pell City, H. 263, p. 297, 574, 1184, 1289, 1578, 1586.

Provide for improvement of roads and bridges in, H. 338, p. 371, 579, 846, 911, 1578, 1597.

Repeal Sec. 2038 of Code, and acts amendatory, as to, H. 606, p. 952, 988, 2025, 2039.

Require probate judge to hold regular terms of court at Pell City, H. 264, p. 300, 914, 1184, 1288, 1577, 1641.

STATE BOARD OF HEALTH (See *Public Health*)—STATE DEPOSITORIES (See *Depositories*)—

STEAGALL, H. B.—

Bills by: H. 107, p. 195; 108, p. 195; 109-110-1, p. 196; 460, p. 633; 559, p. 813; 577, p. 893; 713, p. 1283; 730, p. 1336; 916, p. 2418; 917, p. 2419; 1107, p. 2674; 1248, p. 2901; 1326, p. 3081; 1389, p. 3561.

Resolutions by: p. 606, 1026, 1093, 1306, 1477, 1640, 2075, 2123, 2649.

STATE LIVE STOCK SANITARY BOARD (See *Stock*)—

STATE TAX COMMISSION—

To create, to repeal act, H. 1187, p. 2738.

STATE OFFICERS—

To fix compensation of, H. 700, p. 1271, 1574; Do. H. 294, p. 1369, 1436, 1510, 1592.

STATE TREASURER—

Prescribe kind of securities which may be deposited with, H. 408, p. 495, 582.

Provide for clerical help in office of, amended, H. 254, p. 292, 418, 1179.

Provide for distribution of surplus to counties, for road fund, H. 1333, p. 3226, 3379, 3986.

STATUTES OF LIMITATIONS—

To suspend, H. 652, p. 1102, 1563.

STREET RAILWAYS (See *Railroads*)—

Free transportation upon, to prohibit, H. 638, p. 1041, 1211, 4010.

STOCK, LIVE—

Amount to be recovered for killing, etc., H. 64, p. 80, 608.

Create State sanitary board, etc., H. 396, p. 485, 738; Do. amended, H. 1085, p. 2652, 2865, 2885, 3677, 3705, 4040, 4106.

Prevent from running at large, H. 524, p. 783, 881; Do. H. 526, p. 784, 881; Do. repeal act, H. 431, p. 562.

Protect from injuries, by dogs, H. 220, p. 270, 1308, 2896.

Ratify elections for establishment of, districts, H. 1088, p. 2653, 2861.

State sanitary board, to establish, S. 165, p. 1817, 1930, 2280, 2326.

STATE TAX COMMISSION—

Create, better provide for revenue, H. 769, p. 1468, 1567, 1822, 1879, 1886, 1968, 2041, 2096, 2241 2303, 2346, 2361; Do. repeal act H. 1045, p. 2553, 2788; Do. H. 1187, p. 2738, 2878.

SUMTER COUNTY—

Commissioners authorized to employ detectives, H. 1061, p. 2571, 2782, 3054, 3280, 3882, 3889.

Create the office of Solicitor for, H. 775, p. 1528, 1655.

New warrant to C. D. Horn, authorize to issue, H. 1055, p. 2565, 2787, 3198, 3424, 3879, 3890.

Prohibit sale of liquor in, H. 1059, p. 2566, 2781, 3045, 3411, 3878, 3894.

Provide for working public roads in, H. 339, p. 374, 579, 902, 986, 1581, 1641.

State Normal School, at Livingston, amend act, H. 523, p. 750, 916, 1207, 1577, 1641.

SUPERINTENDENT OF EDUCATION—

Empower to give certificates to teach, H. 1371, p. 3386, 3649; Do. S. 623, p. 4065, 4092.

Heads of schools to make annual reports to H. 1026, p. 2532, 2786.

SUPREME COURT—

Chief Justice of, to appoint two secretaries, H. 702, p. 1271, 1564; Do. S. 292, p. 1744, 1855, 2194, 2343.

Fix salary of Marshal and Librarian of, H. 701, p. 1271, 1562; Do. S. 293, p. 1741, 1855, 2195, 2257.

Prohibits appeals to, in certain cases, H. 589, p. 932, 1565, 2382.

Provide for making transcripts in felony cases, H. 190, p. 257.

Provide for payment of servant for, H. 764, p. 1464, 1562, 1893, 2241, 2258.

Provide for purchase of certain re-printed volumes of reports of, H. 873, p. 224, 2792.

Regulate salary of clerk of, H. 855, p. 1933, 3556.

SWAMP AND OVERFLOWED LANDS—

Confirm unto purchasers, titles to, H. 446, p. 614, 1927, 2884.

SWANSON, W. C.—

Appointed Reading Clerk of House, p. 572.

TAGS—

Prevent removal of, from cotton bales, H. 271, p. 331, 597, 2806, 2854, 4064, 4110.

Prohibit sale of merchandise bearing redeemable, etc., H. 80, p. 176, 549.

Tax collected on fertilizer, made part of school fund, H. 659, p. 1113, 2059.

TALLADEGA COUNTY—

Authorize to build chert roads, etc., H. 1017, p. 2524, 2783, 3031, 3458, 3776, 3843; Do. S. 392, p. 3332, 3380.

Authorize an election for bond issue, for roads, S. 393, p. 3330, 3380; Do. H. 1018, p. 2527, 2871, 3184, 3458, 3776, 3788.

Construction of roads and bridges, amend act, H. 340, p. 378, 579, 759, 909, 1577, 1597.

Establish a city court for, amend act to amend, H. 51, p. 76, 547, 755, 890.

Extend police power of Sylacauga, H. 761, p. 1463, 1569, 2026, 2041, 3341, 3444.

Fix salary of judge of city court, H. 1019, p. 2529, 3220, 3494, 3593, 4021, 4105; Do. S. 391, p. 3606, 3648.

Lawful for stock to run at large in certain portions of, H. 266, p. 304, 582.

Official stenographer for, to appoint, S. 23, p. 408, 1208.

Prevent sale of liquor in Talladega, S. 241, p. 1724, 2054; Do. H. 607, p. 953, 1473, 2009, 2041, 3108.

Provide for official stenographer for, H. 174, p. 244, 576, 901, 1187, 1644, 1723.

Regulate Sylacauga division of circuit court, H. 1178, p. 2729, 2861, 3195, 3458.

Regulate fine and forfeiture fund of, H. 176, p. 246, 576, 1841, 1963, 3253, 3273; Do. H. 234, p. 277, 582.

TALLAPOOSA COUNTY—

Commissioners to fix tolls over bridge across the Tallapoosa river, H. 1081, p. 2586, 2770, 3354, 3574, 4017, 4039.

Establish in precinct 33, an inferior court, H. 550, p. 806.

TALLAPOOSA COUNTY—*Continued.*

Pay to Camp Hill certain dispensary license money, H. 798, p. 1548, 1757, 2348, 2854, 3879, 3806.
 Provide for payment of fine and forfeiture fund, repeal act, H. 528, p. 784, 988, 1077, 1138, 1644, 1705.
 Regulate working of public roads, H. 625, p. 1083, 1930, 3521, 3674, 3929, 4111; Do. H. 735, p. 1339, 1437, 2165, 2335, 2341.

TAXES AND TAXATION—

Ala. State Fair and Exhibit Asso., exempt from, H. 1244, p. 2900, 3068, 3364, 3419, 3881, 3892.
 Assessors and collectors required to keep officers at court house, etc., H. 354, p. 427, 600, 3998.
 Ala. Agricultural Asso., exempt from, S. 608, p. 3719, 3768, 3965, 4053, 4078, 4081.
 Authorize recovery of money erroneously paid for, H. 1349, p. 3238, 3382, 3858, 3906, 4149, 4234.
 Central Ala. Fair Asso., exempt from, S. 137, p. 1059, 1150, 1901, 2090.
 Exempt property of Eastern Star from, H. 1123, p. 2700, 2877, 3292, 4230, 4249.
 Exempt from, patents for protection of human life, H. 1339, p. 3230, 3381, 3690, 4064, 4100, 4229, 4237.
 Exempt from, farm wagons, S. 453, p. 3943.
 Express Companies, provide for assessment and collection of privilege, H. 843, p. 1776, 2053.
 Fix the rate of, H. 289, p. 349, 613; Do. H. 1062, p. 2572, 2788.
 For better compensation of assessors, H. 453, p. 628, 881.
 Impose on all dogs, H. 987, p. 2489, 2784, 2883, 3294, 4125, 4156.
 Money lent, solvent credits, etc., amend act, to make subject to, H. 1245, p. 2091; Do. H. 1250, p. 2901, 3064; Do. repeal act, H. 1251, p. 2901, 3064.
 On gifts, inheritance, etc., H. 203, p. 259.
 Property to be assessed at 40 per cent of cash value, H. 922, p. 2425, 2784, 3287.
 Provide an exemption from, for benefit of Confederate soldiers, H. 63, p. 80, 386.

TAXES AND TAXATION—*Continued.*

- Provide for payment of, for possessing fire arms, H. 104, p. 193.
- Provide for collection of poll, H. 134, p. 216, 408, 421, 571, 2617, 2795; Do. amended, H. 612, p. 955, 1472, 1790, 1919, 2238, 2258.
- Provide for election to levy special, for schools, H. 1181, p. 2736.
- Reduce and fix rate of, T. 102, p. 193, 388; Do. amended, H. 1261, p. 2906, 3072; Do. H. 915, p. 2418, 2788.
- Repeal act, providing for more efficient assessment and collection of, H. 100, p. 192.
- Sleeping car companies, provide for assessment and collection of, privilege, H. 842, p. 1776, p. 2053.
- Solvent credits, to define and levy, H. 614, p. 955, 1472, 1791, 1919, 2231, 2257.
- Tennessee Valley Fair Asso., exempt from, S. 497, p. 3208, 3383, 4137, 4212.

TEACHERS—

- Examination of, for second grade certificates, etc., 4368, p. 444, 597, 4024; Do. H. 246, p. 291, 421.
- Establish uniform system for examination of, amended, H. 609, p. 954, 1151; Do. S. 221, p. 1948, 2052, 2800, 2975; Do. H. 181, p. 248, 919; Do. repeal act, H. 553, p. 810, 1155; Do. S. 220, p. 1948, 2052, 2366, 2370;
- Examination and licensing of, amended, H. 1230, p. 2889, 3218.
- Fix time for holding examinations for, H. 1224, p. 2766, 2864, 4005, 4232, 4250.
- Provide for examination and licensing of fourth grade, H. 1336, p. 3228, 3655.

- Required to give 30 days notice upon resigning, S. 91, p. 1948, 2052.

TELEGRAPH AND TELEPHONE—

- Board to examine person who gives orders for movements for trains, to establish H. 258, p. 293, 552.
- Prescribe duties of, operating under franchise, H. 105, p. 193, 390, 612.
- Regulate employment of telegraphers, H. 41, p. 62, 307.

TELEGRAPHIC MESSAGES—

Duties of companies, as to delivery of, H. 3, p. 57, 575.
Regulate delivery of, H. 92, p. 185, 290, 581.

TEXT BOOK COMMISSION—

To create, H. 949, p. 2451, 2864, 3575, 3673, 4229, 4239; Do.
Amend act, S. 207, p. 1205, 1431, 2280, 2342.

THOMPSON, ERNEST W.—

Bills by: H. 724, p. 1330; 725, p. 1332.
Resolution by: p. 254, 1933.

TIPS—

Prevent the giving or receiving of, H. 456, p. 632, 782.

TITLES—

Persons claiming, to real estate by adverse possession, etc.,
H. 436, p. 635, 1563.

TOBACCO—

For relief of dealers, who conduct stands, H. 1307, p. 2940,
3067, 4055, 4104.
Prohibited in certain places, H. 72, p. 91.

TRACTION ENGINES—

Prescribe the duties of operators of, H. 826, p. 1655, 3224.

TRANSCRIPTS— (See *Deeds.*)—

Validity executed instruments not properly proved, but of record for 20 years, same force as those duly recorder, to give to certified, H. 1209, p. 2753, 2860, 3691, 4047, 4105.

TRUST COMPANIES—

Foreign, appointed in another state, be placed upon same footing in this state, etc., H. 703, p. 1271, 1430.
To increase the efficiency of, H. 283, p. 338, 1151; Do. S. 115, 2278, 2881.

TRUSTS AND COMBINATIONS—

Prohibit making or forming of H. 6, p. 57, 549, 567.
Prohibit to control business and articles, H. 1167, p. 2722, 2859.

TWO AND THREE PER CENT. FUND—

Appropriate to Mobile and West Alabama R. R. Co., H. 228,
p. 274, 1567.

Appropriate to Montgomery, Northern R. R. Co., H. 563, p.
813, 3557.

TUNSTALL, A. M.—

Bills by: H. 24, p. 59; 520, p. 747; 762, p. 1464; 804, p. 1555;
863, p. 2065; 922-3-4, p. 2425; 925, p. 2427; 1395, p. 3769;
Resolutions by: p. 3916.

TURNER, J. F.—

Bills by: H. 267, p. 305; 735, p. 1339.

TUSCALOOSA COUNTY—

Abolish fine and forfeiture fund, etc., of, H. 419, p. 521, 576,
1183, 1207, 1580, 1586.

Authorized to employ scientist to analyze soils of, H. 375,
p. 459, 597.

Authorize cities in, to operate dispensaries, S. 567, p. 3464,
3651, 3982, 4014, 4120.

Authorize to purchase man dogs, H. 1882, p. 2320, 2789.

Contribute to wagon yard in Tuscaloosa, authorize to, H. 883,
p. 2321, 2768, 3056, 3171, 3551; Do. H. 884, p. 2322, 2768,
3057, 3171, 3777, 3786.

Create a board of public works for, amend act H. 376, p. 460,
577, 848, 1072, 1645, 1706.

Establishing law and equity court for, amend act to amend,
H. 766, p. 1465, 1566, 2621, 2793, 3252, 3273; Do. as to
salary of judge, H. 767, p. 1466, 1566, 2149, 2305, 2315,
2316.

For improvement of public roads, H. 374, p. 453, 580, 841,
842, 987, 1645, 1724.

Incorporate Tuscaloosa, amend act, H. 370, p. 445, 781, 1632,
1704, 1956, 1957, 2076.

Provide for election, to prohibit sale of liquor, H. 373, p. 447,
597, 839, 911, 2232, 2300; Do. H. 1382, p. 3394, 3650,
3862, 4055, 4108.

State witnesses regulate pay of, H. 418, p. 518, 576, 1081,
1138, 1575, 1642.

UNDERTAKERS—

Exempt from jury duty, H. 918, p. 2420, 2792.

UNIVERSITY OF ALABAMA (See *Schools and Colleges.*)—

Establish summer school for teachers at, amend act, H. 841, p. 1776, 1928, 2093.

Provide for working coal lands of H. 31, p. 60, 1658.

Provide for equipment and sale of, H. 245, p. 291, 1151, 1600, 1819, 1958, 2346, 2361.

Provide for sale of lands selected under act of Congress, H. 180, p. 248, 312, 1514, 1590, 2031, 2079.

UNITED STATES SENATORS—

Appointing time for voting for, p. 288-9, 317, 323.

Election of, p. 398.

URQUHART, W. E.—

Bills by: H. 131, p. 212; 305 to 308, p. 359; 130, p. 212; 394, p. 475; 437-8, p. 565; 661-2, p. 1114; 660, p. 1113; 835, p. 1769; 1243, p. 2900; 1349, p. 3238.

Resolutions by: p. 775, 1305, 1412, 1527.

VAGRANCY—

Define and provide for proof and punishment of, H. 328, p. 369, 1475; Do. S. S. 113, p. 1058, 1430, 2353, 2362, 2370.

VANN, J. R.—

Bills by: H. 677, p. 1161; 754, p. 1452; 755, p. 1457; 806, p. 1556; 812, p. 1651; 1156, p. 2713; 1314, p. 3073.

Resolutions by: p. 415, 3648.

WALKER COUNTY—

Amend Sec. 2038 of Code, as to, H. 1031, p. 2536, 2790.

Authorize to borrow money, H. 708, p. 1274, 1309, 1338, 1920, 2180, 2259.

Contract for water, gas, etc., Commissioners to, H. 1288, p. 2926, 3379, 3960, 4233, 4237.

Confer equity jurisdiction upon circuit court, S. 512, p. 3254, 3548, 3729, 3797, 3921.

Create office of auditor of, H. 420, p. 522, 914, 1186, 1290, 1579, 1641.

WALKER COUNTY—Continued.

- Create office of official stenographer for, S. 557, p. 3479, 3766, 4165, 4227.
- Fix salary of treasurer of, H. 1305, p. 2939, 3070, 3519, 3592, 4145, 4234.
- Fix time when assessor and collector shall begin rounds, H. 1372, p. 3386, 3550, 3731, 3790, 3966, 4045, 4110.
- Law and equity court of amend act to establish, H. 1030, p. 2533, 2777, 3032, 3132, 3776, 3842.
- Limit number of deputies, etc., who shall be paid out of county treasury, H. 345, p. 382, 577, 766, 773.
- Make legal, warrants drawn by probate judge, etc., H. 678, p. 1161, 1307, 2001, 2039, 2339, 2340.
- Make legal, claims against fine and forfeiture fund, H. 679, p. 1162, 1307, 1992, 1994, 2039, 2339, 2341.
- Make legal all claims to State witnesses in, S. 261, p. 1940, 2056, 2279, 2342.
- Number of constables and deputies in, limit, S. 345, p. 1815, 1958.
- Prescribe manner of electing Commissioners, H. 1201, p. 2749, 2875, 3639, 3674, 4144, 4235.
- Prohibit sale of liquor in certain localities in, H. 868, p. 2072, 2780, 3058, 3407, 3952, 4038.
- Provide for maintaining public roads and bridges, amend act, H. 1308, p. 2940, 3070, 3357, 3422, 3878, 3893.
- Provide new charter for Cordova, amend act, H. 1327, p. 3081, 3652, 4233, 4251.
- Provide for payment of witnesses in criminal cases, H. 1358, p. 3240, 3766, 3979, 4233, 4238.
- Regulate compensation of teachers in, H. 874, p. 2225, 2864, 3374, 3419.
- Regulate hunting upon enclosed field, etc., in, H. 235, p. 279, 310, 3375, 3458, 4047, 4110.
- Regulate salaries of teachers, to repeal act, H. 1379, p. 3392, 3550, 3750, 3792, 4046, 4109.
- Regulate the practice in circuit court, S. 482, p. 3003, 3069, 3365, 3445.

WAREHOUSES, COTTON—

Define and regulate, H. 424, p. 552, 1429, 2951; Do. S. 154, p. 1058, 1431, 2262, 2342.

WAREHOUSE RECEIPTS—

Establish law, uniform with other states, H. 577, p. 893.

WASHINGTON COUNTY—

Board of revenue required to work convicts on public roads, H. 60, p. 79, 1031.

Prescribe manner of electing commissioners, repeal act, H. 728, p. 1334, 1434, 1843, 1920.

Regulate trial of misdemeanors in, amend act, H. 347, p. 384, 576;— Do. S. 129, p. 695, 737, 843, 1000.

WATER POWERS—

Encourage the development of, H. 1129, p. 2702, 2865, 2886, 3278, 3676, 3714.

WEAPONS—

Distribution of fee collected under act, to regulate carrying concealed, H. 821, p. 1653, 1758.

Duties of certain state officers, as to carrying concealed, H. 823, p. 1654, 1758.

Legalized carrying concealed, by certain officers, H. 824, p. 1654, 1757.

Permit the carrying of, about the person, H. 144, p. 224, 390, 1761.

Prohibit the sale of, S. 423, p. 4082, 4092.

Prohibit the carrying of, concealed, H. 265, p. 304, 566, 1761.

Prohibit the carrying of certain, H. 148, p. 224, 918.

Prohibit the carrying of, upon public roads, H. 131, p. 212, 390, 1761.

Prohibit the carrying of, in stock by pawnbrokers, H. 859, p. 2063, 2132.

Provide for confiscation of deadly, H. 307, p. 359.

Regulate carrying of concealed, H. 130, p. 212, 390, 1429.

Regulate jurisdiction of courts with reference to carrying concealed, H. 822, p. 1653, 1761.

Regulate the discharge of fire arms near dwelling house, etc., H. 1387, p. 3561, 3655.

Unlawful to carry fire arms about the person, except 24 inches in length, H. 1233, p. 2890, 3064, 3622, 4149, 4170.

WEAVER, W. A.—

Bills by: H. 77, p. 169; 78, p. 170; 79, p. 171; 1088-9, p. 2653;
1090, p. 2654; 1091, p. 2657.
Resolutions by: p. 593, p. 985, 2317.

WEIGHTS—

Protect dealers and purchasers of grain in, H. 71, p. 91, 307,
829, 830, 985; Do. flour, H. 73, p. 92, 307.
Regulate trade in corn, etc., S. 62, p. 1400.
Regulating under which flour, corn meal and grits, shall be
sold, H. 67, p. 80, 551; Do. packed, H. 851, p. 1876,
2053, 4008.

WHITE, GEO. P. (Perry)—

Bills by: H. 260, p. 293; 691, p. 1223; 760, p. 1462— 807, p.
1535; 809, p. 1539.

WHITE, C. W. (Lamar)—

Bills by: H. 497, p. 662; 498, p. 663; 756, p. 1459; 1138, p.
2705; 1139, p. 2706; 1195, p. 2744; 1196, p. 2746; 1213,
p. 2754; 1345, p. 3234— 1346, p. 3235; 1347, p. 3237;
1366, p. 3245.

WILCOX COUNTY—

Amend laws relating to public roads, H. 422, p. 527, 2790.
Confirm acts and contracts of Commissioners, H. 1037,
p. 2543, 2857, 3149, 3412; Do. S. 575, p. 3342, 3549,
3748, 3829.
Commissioners to purchase ferries, authorize, H. 1038, p. 2544,
2771, 3036, 3283, 3776, 3787.
Establishing dispensary in, amend act to establish, H. 1034,
p. 2541, 2779, 2976, 3572, 3602.
Election of solicitors for, provide for, H. 1035, p. 2542, 2857,
3148, 3417, 3781, 3842.
Legalize warrants issued by commissioners, H. 1036, p. 2543;
Do. S. 574 1-2, p. 3343, 3550, 3747, 3829.
Provide for working public roads, H. 1033, p. 2540, 2783, 2967,
3340, 3443.
Require board of education to pass upon accounts of District
trustees, H. 690, p. 1222, 1756; 2640, 2794, 3341, 3443.
To borrow money, authorize, H. 1039, p. 2545, 2771, 3037,
3282, 3776, 3785.

WILLIAMS, J. S.—

Bills by: H. 424, p. 552; 444, p. 614; 445, p. 614; 531, p. 786;
634, p. 1040; 749, p. 1428; 885, p. 2383; 886, p. 2384;
887-8, p. 2385; 1037, p. 2653; 1187, p. 2789.
Resolutions by: p. 167, 1025, 1055, 1527, 3024.

WILLS—

Provide for contest of foreign, H. 561, p. 813, 1572, 1760.

WITNESSES—

Judges to require, to make bond in criminal cases, H. 1207, p.
2752, 2860.
Prohibit endorsement of names upon indictments, H. 196, p.
258.
Provide for payment of, H. 1383, p. 3559, 3655.
Required to notify clerk of court of change of residence, H.
865, p. 2066, 2880.

WITNESS CERTIFICATES—

Regulate the purchase, sale, etc., of, H. 52, p. 78, 575.

WINSTON COUNTY—

Confer equity of jurisdiction upon circuit court of, S. 512, p.
3254, 3548, 3729, 3797, 3921.
Detach from Northwestern Chancery division, S. 260, p.
3199, 3219, 3641, 3706.
Haleysville to operate a dispensary, to authorize, H. 709, p.
1275, 1572, 1833, 1920, 2231, 2257.
Increase number of jurors in, repeal act, H. 1042, p. 2548,
2857, 3155, 3408, 3775, 3790; Do. H. 1043, p. 2550, 2857,
3158, 3408, 3879, 3891.
Jurors who serve in circuit court, fix compensation of, H. 1041,
2547, 2861, 3190, 3416.
To establish a board of revenue for, S. 120, p. 690, 1209.
Unlawful to sell liquor near Mt. Zion church, H. 530, p. 785,
878, 1190, 1289, 1710, 1738.

WOOLF, S. G.—

Bills by: H. 146-7-8, p. 224; 222, p. 270; 321, p. 367; 397, p. 485;
 610 to 615, p. 955; 622, p. 1014; 623, p. 1015; 655, p.
 1104; 656, p. 1104; 700-1-2, p. 1271; 773, p. 1469; 791, p.
 1543; 1047, p. 2555; 1146, p. 2710; 1147, p. 2710; 1258-9,
 p. 2904.

Resolutions by: p. 415; 1411, 1447, 1477.

WOODS (See *Forests*)—

WRIT OF CERTIORARI—

Time in which may be granted, H. 48, p. 63, 551.